

REVISED ORDINANCES

OF THE
CITY OF BLOOMINGTON, ILLINOIS

COMMISSION FORM OF MUNICIPAL
GOVERNMENT

Revised and Edited by
NED E. DOLAN and
RICHARD M. O'CONNELL,
Corporation Counsel.

PUBLISHED BY AUTHORITY OF THE COUNCIL
OF THE CITY OF BLOOMINGTON, ILLINOIS

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PREFACE.

The change from the Aldermanic to the Commission Form of Government, which took place in May, 1915, necessitated a complete rewriting of all that part of the ordinances having to do with the legislative and executive functions of the city's government.

All other parts have been carefully revised, and each section has been thoroughly considered by the Commissioners. Each department has been consulted particularly concerning the portions most applicable to it. Several subjects are treated for the first time.

At the end of the book is a collection of the special privilege ordinances, etc., now in force in Bloomington, together with the Charter of the city schools, ordinances and documents pertaining to the enlargement of the Chicago & Alton shops, and other important municipal instruments

A thorough and serviceable index is of great utility, and a conscientious endeavor has been made to compile such an index for this book.

NED E. DOLAN


RICHARD M. O'CONNELL

BLOOMINGTON, ILLINOIS, December first, 1917.

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AUTHORIZATION FOR PUBLICATION

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE PUBLICATION IN BOOK FORM OF THE REVISED ORDINANCES OF THE CITY OF BLOOMINGTON, ILLINOIS.

WHEREAS, the Pantagraph Printing & Stationery Company, of Bloomington, Illinois, is the lowest bidder for the publication in book form of the Revised Ordinances of the City of Bloomington, Illinois; and

WHEREAS, the contract for publishing the same has been let to the said Pantagraph Printing & Stationery Company; therefore,

Be it Ordained by the Council of the City of Bloomington, Illinois:

Section 1. That the ordinance passed by the Council of the City of Bloomington, Illinois, on the Thirtieth day of November, 1917, entitled "An Ordinance for Revising and Consolidating the General Ordinances of the City of Bloomington, Illinois," together with the special ordinances and other material compiled for publication by Ned. E. Dolan and Richard M. O'Connell, Corporation Counsel, be and the same hereby are authorized and ordered printed and published in book form by the said Pantagraph Printing & Stationery Company as the Revised Ordinances of the City of Bloomington, Illinois.

E. E. JONES,
Mayor.

ATTEST:

H. J. WILSON,
City Clerk.

Presented to the Council of the City of Bloomington, Illinois, this Thirtieth day of November, 1917.

Passed by the Council of the City of Bloomington, Illinois, this Thirtieth day of November, 1917.

Approved by the Mayor of the City of Bloomington, Illinois, this Thirtieth day of November, 1917.

Recorded this Thirtieth day of November, 1917.

STATE OF ILLINOIS,
CITY OF BLOOMINGTON,
MCLEAN COUNTY. } SS.

I, H. J. WILSON, City Clerk of the City of Bloomington, Illinois, do hereby certify that the above and foregoing is a true copy of an ordinance entitled "An Ordinance authorizing and providing for the publication in book form of the Revised Ordinances of the City of Bloomington, Illinois," passed by the Council of the City of Bloomington, Illinois, on the thirtieth day of November, 1917, the original ordinance of which the foregoing is a copy being by law entrusted to my custody and safe keeping and being on file and recorded in my office.

Witness my hand and the corporate seal of said city this first day of December, 1917.



H. J. WILSON,
City Clerk.

FORMER TOWN AND CITY OFFICERS

The early records indicate that the County Commissioners' Court constituted the sole local government of the little hamlet situated in the northern edge of Blooming Grove, and which afterwards became known as the Town of Bloomington, from about the fourth day of July, 1831, when the lots in the original Town of Bloomington were sold at public auction and the little village began its existence, to the year 1843, when the Town of Bloomington was organized and incorporated under the laws of Illinois.

COUNTY COMMISSIONERS.

- Year ending 1832, Jonathan Cheney, Timothy B. Hoblitt, Jesse Havens.
1833. Seth Baker, Andrew McMillan, Timothy B. Hoblitt.
1834. Seth Baker, Andrew McMillan, Timothy B. Hoblitt.
1835. Seth Baker, Andrew McMillan, Timothy B. Hoblitt.
1836. Seth Baker, Andrew McMillan, John B. Jones.
1837. Joseph Bartholomew, William C. Johnston, Seth Baker.
1838. Joseph Bartholomew, William C. Johnston, Seth Baker, and William Orendorff the unexpired term of Seth Baker.
1839. Joseph Bartholomew, William C. Johnston, William Orendorff.
1840. William C. Johnston, James R. Dawson, William Orendorff.
1841. Henry I. Clark, William C. Johnston, James R. Dawson.
1842. Nathan Low, James R. Dawson, William Conaway.
1843. Isreal W. Hall, James R. Dawson, William Conaway.

TRUSTEES OF THE TOWN OF BLOOMINGTON.

1844. Matthew H. Hawks, president; Bailey H. Coffee, James T. Walton, resigned May 20, 1844, William Thomas, elected to fill vacancy; John Magoun, William Gillespie.
1845. Bailey H. Coffee, president; Abraham Brokaw, Samuel D. Luce, Goodman Ferre, William H. Allen.
1846, April 13. Goodman Ferre, president; Abraham Brokaw, J. E. McClun, William Platt.
1847, April 12. Bailey Coffee, president; Joshua Harlan, Charles P. Merriman, William McKisson, Hugh Taylor.

Former Town and City Officers

1848, April 12. C. P. Merriman, president; John Foster, William G. Thompson, John W. Ewing, George W. Minier.

1849, April 9. G. W. Minier, president; John Foster, W. G. Thompson, Ezekiel Thomas, John W. Ewing.

MAYORS AND ALDERMEN OF THE CITY OF BLOOMINGTON

1850. Mayor, David I. Perry. Aldermen, first ward, Jay N. Ward; second, Bailey H. Coffee; third, William Gillespie; fourth, E. Thomas.

1851. Mayor, Charles P. Merriman. Aldermen, first ward, Joshua H. Harlan; second, Bailey H. Coffee; third, William Gillespie; fourth, E. Thomas.

1852. Mayor, John H. Wickizer. Aldermen, first ward, Joshua H. Harlan; second, William Wallace; third, Bailey H. Coffee; fourth, Thomas F. Worrell.

1853. Mayor, William Wallace. Aldermen, first ward, Goodman Ferre; second, Samuel Doughty; third, William Gillespie; fourth, Thomas F. Worrell.

1854. Mayor, John W. Ewing. Aldermen, first ward, Goodman Ferre; second, Samuel Doughty; third, Daniel J. Combs; fourth, John L. Routt.

1855. Mayor, Franklin Price. Aldermen, first ward, Henry S. Herr; second, Oliver Ellsworth; third, George Hinshaw; fourth, John L. Routt.

1856. Mayor, Franklin Price. Aldermen, first ward, Milo Chatfield; second, Oliver Ellsworth; third, Mark Ross; fourth, J. T. Stevenson.

1857. Mayor, Amasa J. Merriman. Aldermen, first ward, Milo Chatfield; second, Alex B. Shaffer; third, Mark Ross; fourth, W. C. Watkins.

1858. Mayor, Amasa J. Merriman. Aldermen, first ward, Milo Chatfield; second, Alexander B. Shaffer; third, E. H. Rood; fourth, D. F. Stinson.

1859. Mayor, John M. Stillwell. Alderman, first ward, Goodman Ferre; second, Geo. W. Parke; third, E. H. Rood; fourth, D. F. Stinson.

1860. Mayor, H. S. Herr. Aldermen, first ward, Goodman Ferre; second, George W. Parke; third, J. N. Larrimore; fourth, Joel Depew.

1861. Mayor, George Parke. Aldermen, first ward, D. D. Haggard; second, Robert Parke; third, J. N. Larrimore; fourth, Joel Depew.

1862. Mayor, George Parke. Aldermen, first ward, D. D. Haggard; second, Robert Parke; third, William VanSchoick; fourth, S. W. Dodd; fifth, R. McDonald.

1864. Mayor, Joel Depew. Aldermen, first ward, William Paist; second, William S. Vreeland; third, William VanSchoick; fourth, B. Holcomb; fifth, R. McDonald.

1865. Mayor, E. H. Rood. Aldermen, first ward, J. Ellis; second, P. Whitmer; third, William VanSchoick; fourth, B. Holcomb; fifth, William Condon.

1866. Mayor, E. H. Rood. Aldermen, first ward, J. Ellis; second, P. Whitmer; third, A. B. Gillett; fourth, B. Holcomb; fifth, William Condon.

1867. Mayor, E. H. Rood. Aldermen, first ward, Luman Burr, J. Ellis; second, F. A. Packard, W. C. Johnson; third, S. W. Waddle, A. B. Gillett; fourth, Peter Rockwell, B. Holcomb; fifth, S. S. Parke, M. McGrath.

1868. Mayor, J. M. Stillwell. Aldermen, first ward, D. D. Haggard, L. Burr; second, T. J. Bunn, F. A. Packard; third, H. M. Riggs, S. W. Waddle; fourth, D. O. Moore, P. Rockwell; fifth, John H. Regan, S. S. Parke.

1869. Mayor, J. M. Stillwell. Aldermen, first ward, John Geltmacher, D. D. Haggard; second, John Weichlein, T. J. Bunn; third, E. F. Edwards, H. M. Riggs; fourth, Peter Rockwell, D. O. Moore; fifth, Michael Mahoney, J. H. Regan.

1870. Mayor, T. J. Bunn. Aldermen, first ward, E. B. Steere, John Geltmacher; second, Michael Martin, John Weichlein; third, J. P. Butler, E. F. Edwards; fourth, William Wilson, Peter Rockwell; fifth, James O'Donovan, Michael Mahoney; sixth, H. G. Reeves, David Kern.

1871. Mayor, B. F. Funk. Aldermen, first ward, T. F. Harwood, E. B. Steere; second, Peter Folsom, M. Martin; third, E. F. Edwards, J. P. Butler; fourth, George Bruner, William Wilson; fifth, Henry Geymer, James O'Donovan; sixth, David Kern, H. G. Reeves.

1872. Mayor, B. F. Funk. Aldermen, first ward, T. F. Harwood, E. B. Steere; second, Peter Folsom, William Spurgin; third, E. F. Edwards, J. P. Butler; fourth, George Bruner, S. Sampson; fifth, Henry Geymer, William H. Bell; sixth, David Kern, Robert Thompson.

1873. Mayor, B. F. Funk. Aldermen, first ward, E. B. Steere, John E. Thomas; second, William Spurgin, John W. Trotter; third, J. P. Butler, E. F. Edwards; fourth, S. Sampson, B. L. Lucas; fifth, W. H. Bell, John Maher; sixth, Robert Thompson, John Reed.

1874. Mayor, B. F. Funk. Aldermen, first ward, John E. Thomas, David D. Haggard; second, John W. Trotter, William Spurgin; third, E. F. Edwards, John S. Seibird; fourth, B. L. Lucas, Peter Rockwell; fifth, John Maher, John Weichlein; sixth, John Reed, Robert Thompson.

1875. Mayor, B. F. Funk. Aldermen, first ward, David D. Haggard, H. S. McCurdy; second, William Spurgin, John W. Trotter, M. Hausen; third, John S. Seibird, A. F. Risser; fourth, Peter Rockwell, B. L. Lucas; fifth, John Weichlein, John H. Regan; sixth, Robert Thompson, John Reed.

1876. Mayor, E. B. Steere. Aldermen, first ward, H. S. McCurdy, F. M. Andrus; second, John W. Trotter, William Condon; third, A. F. Risser, Enoch J. Moore; fourth, B. L. Lucas, William Maddux; fifth, John H. Regan, John Weichlein; sixth, John Reed, Franklin White.

1877. Mayor, Thomas J. Bunn. Aldermen, first ward, F. Andrus, N. C. Sweeney; second, William Condon, J. W. Trotter; third, E. J. Moore, W. W. Stevenson; fourth, William Maddux, Peter Rockwell; fifth, John Weichlein, Daniel Hagerty; sixth, Franklin White, David Kern.

1878. Mayor, John Reed. Aldermen, first ward, N. C. Sweeney, Josiah Richardson; second, J. W. Trotter, Leonard Seibert; third, W. W. Stevenson, E. J. Moore; fourth, Peter Rockwell, William Maddux; fifth, Daniel Hagerty, Patrick Keating; sixth, David Kern, Frank White.

1879. Mayor, E. B. Steere. Aldermen, first ward, Josiah Richardson, N. C. Sweeney; second, Leonard Seibert, William Condon; third, E. J. Moore, W. W. Stevenson; fourth, William Maddux, Peter Rockwell; fifth, Patrick Keating, Daniel Hagerty; sixth, Frank White, John W. Evans.

1880. Mayor, E. H. Rood. Aldermen, first ward, N. C. Sweeney, S. C. Wilson; second, William Condon, Leonard Seibert; third, W. W. Stevenson, E. J. Moore; fourth, Peter Rockwell, L. B. Thomas; fifth, Daniel Hagerty, Patrick Keating; sixth, John W. Evans, Frank White.

1881. Mayor, John W. Trotter. Aldermen, first ward, S. C. Wilson, William E. Gapen, N. C. Sweeney; second, L. Seibert, William Condon; third, E. J. Moore, W. W. Stevenson; fourth, L. B. Thomas, George A. Johnston; fifth, Patrick Keating, William O'Connor; sixth, Franklin White, John W. Evans.

1882. Mayor, John W. Trotter. Aldermen, first ward, N. C. Sweeney, B. F. Hoopes; second, William Condon, Martin Meyer; third, W. W. Stevenson, James E. Miller; fourth, George A. Johnston, L. B. Thomas; fifth, William O'Connor, Daniel Hagerty; sixth, John W. Evans, D. D. Daniels.

1883. Mayor, John W. Trotter. Aldermen, first ward, B. F. Hoopes, W. E. Gapen; second, Martin Meyer, John Eddy; third, J. E. Miller, C. F. Koch; fourth, Lewis B. Thomas, George A. Johnston; fifth, D. Hagerty, J. Weichlein; sixth, D. D. Daniels, F. W. Chrisman.

1884. Mayor, B. F. Funk. Aldermen, first ward, W. E. Gapen, N. C. Sweeney; second, John Eddy, C. H. Gmehlin; third, C. F. Koch, Cheney Moulton; fourth, George A. Johnston, L. B. Thomas; fifth, J. Weichlein, D. S. Tuohy; sixth, F. W. Chrisman, R. N. Evans.

1885. Mayor, B. F. Funk. Aldermen, first ward, N. C. Sweeney, J. R. Mason; second, C. H. Gmehlin, Lester Green; third, C. Moulton, C. F. Koch; fourth, L. B. Thomas, W. F. Crawford; fifth, D. S. Tuohy, J. H. Regan; sixth, R. N. Evans, H. W. Stillhammer.

1886. Mayor, Lewis B. Thomas. Aldermen, first ward, J. R. Mason, Charles E. Perry; second, Lester Green, William Stautz; third, C. F. Koch, G. H. Miller; fourth, W. F. Crawford, Edgar M. Heafer; fifth, John H. Regan, James Costello; sixth, Henry W. Stillhammer, John L. Beath.

1887. Mayor, Lewis B. Thomas. Aldermen, first ward, Judson R. Mason, Charles E. Perry; second, William A. Stautz, Lester Green; third, George H. Miller, C. F. Koch; fourth, William F. Crawford, Edgar M. Heafer; fifth, James Costello, John H. Regan; sixth, E. R. Morse, J. L. Beath.

1888. Mayor, Lewis B. Thomas. Aldermen, first ward, Charles E. Perry, Guy A. Carlton; second, William A. Stautz, Lester Green; third,

George H. Miller, Cheney Moulton; fourth, William F. Crawford, Edgar M. Heafer; fifth, James Costello, Frank A. Gregory; sixth, Edwin R. Morse, John L. Beath.

1889. Mayor, Judson R. Mason. Aldermen, first ward, Guy A. Carlton, Charles E. Perry; second, Lester Green, William A. Stautz; third, Cheney A. Moulton, Charles Lamp; fourth, William F. Crawford, Edgar M. Heafer; fifth, Frank A. Gregory, James Costello; sixth, E. R. Morse, George McIntosh.

1890. Mayor, Judson R. Mason. Aldermen, first ward, D. T. Foster, Charles E. Perry; second, William G. Boyce, William A. Stautz; third, Cheney Moulton, Charles Lamp; fourth, William F. Crawford, Edgar M. Heafer; fifth, Edward Holland, James Costello; sixth, George M. Smith, George McIntosh.

1891. Mayor, Christian F. Koch. Aldermen, first ward, F. J. Maxwell, D. T. Foster; second, William G. Boyce, William A. Stautz; third, Cheney Moulton, H. H. Bolles; fourth, William F. Crawford, Edgar M. Heafer; fifth, Edward Holland, James Costello; sixth, George M. Smith, Charles H. Scott.

1892. Mayor, Daniel T. Foster. Aldermen, first ward, F. J. Maxwell, B. F. Hoopes; second, William G. Boyce, William A. Stautz; third, Clayton L. Hutchinson, H. H. Bolles; fourth, William F. Crawford, Edgar M. Heafer; fifth, Edward Holland, James Costello; sixth, George M. Smith, Charles H. Scott.

1893. Mayor, Daniel T. Foster. Aldermen, first ward, F. J. Maxwell, B. F. Hoopes; second, William A. Stautz, William G. Boyce; third, John G. Welch, Clayton L. Hutchinson; fourth, Edgar M. Heafer, William F. Crawford; fifth, James Costello, Edward Holland; sixth, Charles H. Scott, George M. Smith.

1894. Mayor, Daniel T. Foster. Aldermen, first ward, B. F. Hoopes, F. J. Maxwell; second, W. A. Stautz, Otto Gaffron; third, John G. Welch, F. C. Smith; fourth, Edgar M. Heafer, William C. Schultz; fifth, James Costello, Edward Holland; sixth, Charles H. Scott, Harvey Hart.

1895. Mayor, George M. Smith. Aldermen, first ward, B. F. Hoopes, James S. Neville; second, Otto Gaffron, W. A. Stautz; third, F. C. Smith, John G. Welch; fourth, William C. Schultz, William C. Hodge; fifth, Edward Holland, James Costello; sixth, Harvey Hart, Charles H. Scott.

1896. Mayor, Edgar M. Heafer. Aldermen, first ward, B. F. Hoopes, James S. Neville; second, Otto Gaffron, W. A. Stautz; third, F. C. Smith, John G. Welch; fourth, Charles A. Stewart, William C. Hodge; fifth, John F. Dixon, James Costello; sixth, Harvey Hart, Charles H. Scott.

1897. Mayor, Daniel T. Foster. Aldermen, first ward, B. F. Hoopes, James S. Neville; second, Otto Gaffron, William A. Stautz; third, F. C. Smith, Fred L. Lang; fourth, Charles A. Stewart, William C. Hodge; fifth, John F. Dixon, Henry Geymer; sixth, Harvey Hart, Lawson D. Welch.

CITY REORGANIZED UNDER GENERAL LAW, MARCH 8, 1897.

1898. Mayor, C. F. Koch. Aldermen, first ward, George C. Morrison, William L. Hallam, died January 23, 1898, James S. Neville, elected to fill unexpired term; second, J. H. Kirkpatrick, Jesse B. Enlow; third, J. A. Schneider, Paul Finnan; fourth, Joseph C. Means, Henry S. Dooley; fifth, James McDermott, D. M. O'Neil; sixth, L. D. Welch, R. O. Graham; seventh, Fred L. Lang, Louis E. Ling.

1899. Mayor, C. F. Koch. Aldermen, first ward, James S. Neville, G. C. Morrison; second, Jesse B. Enlow, L. J. Kohler; third, Paul Finnan, Wave Miller; fourth, Henry S. Dooley, George W. Bowman; fifth, D. M. O'Neil, Edward Holland; sixth, R. O. Graham, J. J. Pitts; seventh, L. E. Ling, Fred L. Lang.

1900. Mayor, Lewis B. Thomas. Aldermen, first ward, G. C. Morrison, W. H. Kerrick; second, Jesse B. Enlow, L. J. Kohler; third, Robert Maxton, Wave Miller; fourth, John W. Rodgers, George W. Bowman; fifth, Daniel M. O'Neil, Edward Holland; sixth, R. O. Graham, John J. Pitts; seventh, Fred L. Lang, A. G. Erickson.

May, 1900, to May, 1901. Mayor, Lewis B. Thomas. Aldermen, first ward, George C. Morrison, W. H. Kerrick; second, Jesse B. Enlow, W. A. Stautz; third, Robert Maxton, Paul Finnan; fourth, John W. Rodgers, George W. Bowman; fifth, D. M. O'Neil, Edward Holland; sixth, R. O. Graham, Fred C. Smith; seventh, A. G. Erickson, Fred L. Lang.

May, 1901, to May, 1902. Mayor, Lewis B. Thomas. Aldermen, first ward, George C. Morrison, W. H. Kerrick; second, W. T. Shorthose, W. A. Stautz; third, W. P. Bolles, Paul Finnan; fourth, John W. Rodgers, George W. Bowman; fifth, D. M. O'Neil, Edward Holland; sixth, R. O. Graham, Fred C. Smith; seventh, Charles L. Miller, J. F. Hulva.

May, 1902, to May, 1903. Mayor, Lewis B. Thomas. Aldermen, first ward, Edmund O'Connell, W. H. Kerrick; second, W. T. Shorthose, George C. Freese; third, W. P. Bolles, Paul Finnan; fourth, John W. Rodgers, J. C. Means; fifth, D. M. O'Neil, Edward Holland; sixth, R. O. Graham, Fred C. Smith; seventh, Charles L. Miller, J. F. Hulva.

May, 1903, to May, 1904. Mayor, George C. Morrison. Aldermen, first ward, Edmund O'Connell, A. M. Farrell; second, George C. Freese, Maurice C. McCarthy; third, Paul Finnan, W. H. Ulbrich; fourth, J. C. Means, Charles A. Kleinau; fifth, D. M. O'Neil, Edward Holland; sixth, Fred C. Smith, D. J. Loudon; seventh, J. F. Hulva, A. G. Erickson.

May, 1904, to May, 1905. Mayor, George C. Morrison. Aldermen, first ward, Edmund O'Connell, A. M. Farrell; second, George C. Freese, Maurice C. McCarthy; third, Mack Webb, W. H. Ulbrich; fourth, J. C. Means, Charles A. Kleinau; fifth, D. M. O'Neil, Edward Holland; sixth, P. W. Coleman, D. J. Loudon; seventh, W. T. Williams, A. G. Erickson.

May, 1905, to May, 1906. Mayor, James S. Neville. Aldermen, first ward, A. M. Farrell, Edmund O'Connell; second, H. M. Salch, George C. Freese; third, L. A. Meier, Mack Webb; fourth, J. C. Means, Charles A. Kleinau; fifth, D. M. O'Neil, Edward Holland; sixth, D. J. Loudon, P. W. Coleman; seventh, A. G. Erickson, W. T. Williams.

May, 1906, to May, 1907. Mayor, James S. Neville (died August 17, 1906; succeeded for remainder of term by A. G. Erickson.) Aldermen, first ward, Homer W. Hall, A. M. Farrell; second, George C. Freese, H. M. Salch; third, Mack Webb, L. A. Meier; fourth, J. C. Means, Charles A. Kleinau; fifth, D. M. O'Neil, Edward Holland; sixth, J. J. Love, D. J. Loudon; seventh, Charles L. Miller, A. G. Erickson (elected mayor to fill the unexpired term of James S. Neville).

May, 1907, to May, 1908. Mayor, Edward Holland. Aldermen, first ward, Homer W. Hall, E. E. Jones; second, George C. Freese, James Costello; third, Mack Webb, H. W. Ulbrich; fourth, J. C. Means, Charles H. Kurtz; fifth, D. M. O'Neil, Daniel Dugan; sixth, J. J. Love, P. W. Coleman; seventh, Charles L. Miller, Otto Walles.

May, 1908, to May, 1909. Mayor, Edward Holland. Aldermen, first ward, Homer W. Hall, E. E. Jones; second, James Costello, George Summers; third, H. W. Ulbrich, W. H. Hamilton; fourth, Charles H. Kurtz, J. C. Means; fifth, Daniel Dugan, D. M. O'Neil; sixth, P. W. Coleman, W. H. Kerriek; seventh, Charles L. Miller, Otto Walles.

May, 1909, to May, 1910. Mayor, Richard L. Carlock. Aldermen, first ward, Homer W. Hall, E. E. Jones; second, George Summers, James Costello; third, W. H. Hamilton, H. W. Ulbrich; fourth, J. C. Means, Charles H. Kurtz; fifth, D. M. O'Neil, Daniel Dugan; sixth, W. H. Kerriek, W. T. Batson; seventh, Charles L. Miller, Otto Walles.

May, 1910, to May, 1911. Mayor, Richard L. Carlock. Aldermen, first ward, E. E. Jones, H. A. Welch, second, George Summers, James Costello; third, W. H. Hamilton, H. W. Ulbrich; fourth, Charles H. Kurtz, J. C. Harvey; fifth, Matthew Ryan, D. M. O'Neil; sixth, W. H. Kerriek, W. T. Batson; seventh, Charles L. Miller, Otto Walles.

May, 1911, to May, 1912. Mayor, Albert L. Moore. Aldermen, first ward, E. E. Jones, H. A. Welch; second, George Summers, James Costello; third, W. H. Hamilton, Fred Bach; fourth, Charles H. Kurtz, J. C. Harvey; fifth, D. M. O'Neil, Matthew Ryan; sixth, W. H. Kerriek, W. T. Batson; seventh, Charles L. Miller, Otto Walles.

May, 1912, to May, 1913. Mayor, James Costello (James Costello was elected by the Council to fill out the unexpired term of Mayor Moore, who resigned on September 13, 1912.) Aldermen, first ward, E. E. Jones, H. A. Welch; second, George Summers, James Costello (elected Mayor as above); third, Fred Bach, Thomas Kane; fourth, J. C. Harvey, Charles H. Kurtz; fifth, D. M. O'Neil, Matthew Ryan; sixth, W. T. Batson, H. R. Bragonier; seventh, Charles L. Miller, Otto Walles.

May, 1913, to May, 1914. Mayor, James Costello. Aldermen, first ward, H. A. Welch, A. H. Reichel; second, George Summers, M. G. Boylan; third, Thomas Kane, Charles Kammerman; fourth, J. C. Harvey, Charles H. Kurtz, fifth, Matthew Ryan, D. M. O'Neil; sixth, H. R. Bragonier, W. T. Batson; seventh, Charles L. Miller, Otto Walles.

May, 1914, to May, 1915. Mayor, James Costello. Aldermen, first ward, H. A. Welch, A. H. Reichel; second, George Summers, M. G. Boylan; third, Thomas Kane, Charles Kammerman; fourth, Charles H. Kurtz, W. A. Miller; fifth, D. M. O'Neil, Matthew Ryan; sixth, W. T. Batson, H. R. Bragonier; seventh, Otto Walles, Harry Giese.

COMMISSION FORM EFFECTIVE MAY, 1915.

The Commission Form of Municipal Government became effective in the City of Bloomington in May, 1915, and the following officers were installed for the term of four years: Mayor (Commissioner of Public Affairs), E. E. Jones; Commissioner of Accounts and Finances, E. R. Morgan; Commissioner of Public Health and Safety, A. G. Erickson; Commissioner of Streets and Public Improvements, J. F. Anderson; Commissioner of Public Property, R. L. Carlock.

PRESENT OFFICIALS OF THE CITY OF BLOOMINGTON, ILLINOIS

MAYOR

(Commissioner of Public Affairs)

E. E. JONES.

COMMISSIONERS.

Commissioner of Accounts and Finances.....	Edward R. Morgan
Commissioner of Public Health and Safety.....	A. G. Erickson
Commissioner of Streets and Public Improvements.....	John F. Anderson
Commissioner of Public Property.....	Richard L. Carlock

OFFICERS.

Corporation Counsel.....	Ned E. Dolan and Richard M. O'Connell
City Clerk.....	H. J. Wilson
Assistants to City Clerk.....	Fred R. Evans and H. J. Bock
City Treasurer.....	Claude Clock
City Engineer.....	Eugene Packard
Assistant City Engineer.....	Thomas M. Lancaster
Chief of Police.....	J. J. Jones
Chief of Fire Department.....	Henry Mayer
Superintendent Water Works and Electric Lighting.....	Chester C. Williams
City Forester.....	Dr. F. O. Jackman
Plumbing Inspector.....	William Downey
City Electrician.....	Charles E. Conklin
Commissioners of Health.....	{ Dr. F. H. Godfrey Dr. H. H. Griffin Dr. F. C. Vandervort
Inspector of Health and Food.....	W. T. Williams
Sanitary Inspector.....	William Cannon
Inspector of Oil.....	Jay Sargent
Meter Repairer.....	Edward J. Daley
Captain of Police.....	Paul F. Giermann
Desk Sergeant.....	Edward J. Mehan
Assistant Chief of Fire Department.....	C. Abrams
Clerk of the Board of Local Improvements.....	Christena R. Rich
City Weigh Master.....	Joseph W. King
Custodian of Miller Park.....	Edward Bomgardner
Matron Miller Park.....	Mrs. Mary Bomgardner
City Sexton.....	Carl Herman

Police Matron.....Florence Kaywood
 PoundkeeperH. A. Pierce

BOARD OF EXAMINERS OF PLUMBERS.

Chairman Board of Health.....A. G. Erickson
 Inspector of Plumbing.....William Downey
 Master Plumber.....Frank Morrison

BOARD OF DIRECTORS OF THE WITHERS PUBLIC LIBRARY.

Mrs. Jean McKinney
 John Alexander
 Spencer Ewing
 Mrs. Sue Sanders

P. W. Coleman
 Mrs. W. R. Bach
 A. K. Lundborg
 Frank Oberkoetter

Ira Whitmer.

FORMER CHARTER PROVISIONS

OF THE

CITY OF BLOOMINGTON, ILLINOIS

AN ACT—To legalize the incorporation of the city of Bloomington. (Approved June 19, 1852.)

INCORPORATION LEGALIZED.] § 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That the incorporation of the town of Bloomington, in McLean county, as a city, on the nineteenth day of February, A. D. one thousand eight hundred and fifty, in pursuance of the fifth section of an act, entitled "An act to incorporate towns and cities," passed February the tenth, one thousand, eight hundred and forty-nine, be and the same is hereby legalized.

AN ACT—To legalize the incorporation of the city of Bloomington, and for other purposes. (Approved February 14, 1855.)

INCORPORATION LEGALIZED.] § 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That the incorporation of the town of Bloomington, in McLean county, as a city, on the nineteenth day of February, A. D. one thousand eight hundred and fifty, in pursuance of an act entitled, "An act to incorporate towns and cities," passed February tenth, one thousand eight hundred and forty-nine, be, and the same is hereby legalized, and the existence and incorporation of the city of Bloomington, shall be taken and considered to be valid in all courts of this state without proof thereof.

AN ACT—To grant and establish a city charter for the city of Bloomington. (In force February 13, 1861.)

NAME AND STYLE.] § 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That the inhabitants of the city of Bloomington, in McLean county, Illinois, be and they are hereby constituted a body politic and corporate, by the name and style of "The City of Bloomington" and by that name shall have perpetual succession, and may have or not have a common seal, which they may change, alter or abolish, at pleasure.

AN ACT—To amend an act entitled "An act to grant and establish a city charter for the city of Bloomington." (In force March 7, 1867.)

CORPORATE LIMITS.] § 2. The corporate limits of the city of Bloomington shall embrace and include within the same, all of section four (4), the west half of section three (3), the east half of section five

(5), the northeast quarter of section eight (8), the north half of section nine (9), and the northwest quarter of section ten (10), all being in township twenty-three (23), north of range two (2) east of the third principal meridian; the southeast quarter of section thirty-two (32), the south half of section thirty-three (33), and the southwest quarter of section thirty-four (34), all being in township twenty-four (24) north of range two (2) east of the third principal meridian; and shall also include all town plats and additions adjoining the above prescribed limits; and whenever any tract of land adjoining the said limits, or any addition to said city, shall be laid off into town lots, and the plat thereof recorded, the same shall be and form a part of the city of Bloomington as fully as if within the original corporate limits.

ADDITIONS AND ANNEXATIONS

The area of the City of Bloomington has since been increased, both by annexation of contiguous property and by platting of additions thereto, as follows:

Blocks 11, 12, 13, 14 and 15, McClun's second addition to Bloomington. Approved July 10, 1858.

McClun's third addition to Bloomington. Approved 1858.

William Musch's addition to Bloomington. Approved by the city council, March 13, 1868.

William's and Rice's addition to Bloomington. Approved by the city council, April 24, 1869.

A. H. Moore's addition to Bloomington. Approved by city council, June 5, 1868.

Blocks four (4) and five (5), Cranmer's addition to Bloomington. Approved by the board of supervisors, September 19, 1866.

Block "A" and block 1, north of quarter section line; block 2 and lots 19, 20 and 22, block 6, Croxton addition to the City of Bloomington. Approved August 30, 1870.

The following described territory, to-wit:

Beginning at a point where the north line of Washington street intersects the west line of the city limits of the said City of Bloomington, thence along the line of the said city limits to the west line of the right-of-way of the Chicago & Alton railroad; thence southerly along the west line of the Chicago & Alton railroad company's right-of-way, to the south line of lot thirteen (13) of Assessor's subdivision of lot fourteen (14) in the south half of section five (5); thence west along the south line of

said lot thirteen (13) and also Williams street and lot thirty-eight (38) of block two (2), in Stevenson's and Worrell's consolidated subdivision of parts of sections five (5) and eight (8), to the southwest corner of said lot thirty-eight (38); thence north on the west line of blocks two (2) and one (1) in said Stevenson's and Worrell's consolidated subdivision, and lot three (3) in Assessor's subdivision of lot fourteen (14), to a point on the south side of the fair grounds (north side of said Washington street) directly north of the northwest corner of lot three (3) in Assessor's subdivision of lot fourteen (14) of south half of section five (5); thence east along the north side of said Washington street to the place of beginning. All being in township twenty-three (23) north of range two (2) east of the third (3d) principal meridian in the County of McLean and State of Illinois, was annexed by ordinance approved June 27, 1885.

Citizen's addition to Bloomington. Approved by city council, August 15, 1890.

Davis' subdivision of part of lot one (1), of the subdivision of the southwest quarter ($\frac{1}{4}$) of section nine (9), township twenty-three (23) north, range two (2) east of the third (3d) principal meridian, was annexed by ordinance approved May 2, 1896.

Lots one (1) and two (2), block one (1), and lots one (1) and two (2), block two (2), of Van Schoick's subdivision of lot ten (10); and eighty-eight and one-half ($88\frac{1}{2}$) feet off the east side of lot nine (9), of subdivision of the southwest quarter ($\frac{1}{4}$) of section nine (9), township twenty-three (23), range two (2) east of the third (3d) principal meridian, was annexed by ordinance approved May 28, 1897.

The following described territory, to-wit: Lot two (2) of the subdivision of the southwest quarter ($\frac{1}{4}$) of section nine (9), township twenty-three (23), range two (2) east of the third (3d) principal meridian, was annexed by ordinance approved October 8, 1898.

The following described territory, to-wit: Lot two (2) and part of lot seven (7) of the subdivision of the southwest quarter ($\frac{1}{4}$) of section nine (9), township twenty-three (23), N., range two (2) east of the third (3d) principal meridian, described as follows: Commencing at the northwest corner of said lot two (2); thence west along the north line of said southwest quarter ($\frac{1}{4}$) of section nine (9) to the center line of Oak street; thence south on said center line of Oak street, produced one hundred and sixty-five (165) feet; thence to the southwest corner of said lot two (2); thence north one hundred and sixty-five (165) feet to the place of beginning, was annexed by ordinance approved December 2, 1898.

The following described territory, to-wit: Blocks one (1), two (2), three (3), eight (8) and nine (9), Fair Ground subdivision of the northwest quarter ($\frac{1}{4}$) of section five (5), township twenty-three (23) north, range two (2) east of the third (3d) principal meridian, was annexed to the city by ordinance approved December 31, 1898.

The following described territory was annexed to the city by an ordinance passed November 23rd, 1900, approved November 24th, 1900: Blocks fifteen (15), fourteen (14) and thirteen (13), Fairground Subdivision of the northwest quarter ($\frac{1}{4}$) of Section five (5), Township twenty-three (23) North, Range two (2) East of the third (3rd) Principal Meridian.

The following described territory was annexed to the city by an ordinance passed May 9th, 1902, approved May 10th, 1902: Commencing at the center of Section three (3), Town twenty-three (23) North, Range two (2) East of the third (3rd) Principal Meridian, thence east on the quarter ($\frac{1}{4}$) section line of said Section three (3) to the northeast corner of Lot one (1) of Fell's Outlots, thence south on the east side of the west half ($\frac{1}{2}$) of the south east quarter ($\frac{1}{4}$) of said Section three (3) to the center line of Taylor Street in the City of Bloomington if produced, thence west on the said center line of said Taylor Street if produced to the quarter ($\frac{1}{4}$) section line running north and south through said Section three (3), thence north on said quarter ($\frac{1}{4}$) section line to the place of beginning.

The following described territory was annexed to the city by an ordinance passed May 6th, 1904, approved May 7th, 1904: Commencing at the south west corner of Lot sixty-two (62) of Davis Subdivision of part of Lot one (1) of the subdivision of the south west quarter ($\frac{1}{4}$) of Section nine, (9) Town twenty-three (23) North, Range two (2) East of the third (3rd) Principal Meridian, thence west ten (10) feet, thence south along the west line of Lot nine (9) of the subdivision of the south west quarter ($\frac{1}{4}$) of Section nine (9) to the south west corner of said Lot nine (9) thence east along the south side of said Lot nine (9) to the west line of Madison Street as laid out in VanSchoick's Subdivision of Lot ten (10) and eighty-eight and one-half ($88\frac{1}{2}$) feet off the east side of said Lot nine (9) of said section if produced, thence north along said west line of Madison Street produced, to the south line of Lot twenty-two (22), Block two (2), of VanSchoick's subdivision if produced, thence east along the south line of Lots twenty-two (22) and twenty-one (21), Block one (1), of said subdivision, to the center of Main Street, thence north along the center line of Main Street to the south line of Lot one (1) of said VanSchoick's subdivision if produced, thence west along the south line of Lots one (1) and two (2), Block one (1), and lots one (1) and two (2), Block two (2), of said VanSchoick's subdivision, and along the south line of Lots forty-nine (49) fifty (50) and sixty-two (62) of said Davis subdivision to the place of beginning.

The following described territory was annexed to the city by an ordinance passed April 21st, 1905, approved April 22nd, 1905: Lots forty-one (41), forty-four (44), forty-five (45) forty-eight (48) and forty-nine (49) of Stevenson Brothers and Worrell's subdivision of part of sections five (5) and eight (8), Township twenty-three (23) North, Range two (2) East, and that territory lying east of said lots forty-one (41), forty-four (44), forty-five (45), forty-eight (48) and forty-nine (49) of Stevenson Brothers and Worrell's subdivision of part of Sections five (5) and

eight (8) Township twenty-three (23) North, Range two (2) East, bounded as follows: On the south by the south line of said lot forty-nine (49) if produced; on the east, by the eastern right of way of the Chicago & Alton Railway Company; on the north by the middle line of Clay street, and on the west, by the east line of lots forty-one (41), forty-four (44), forty-five (45) forty-eight (48) and forty-nine (49) of Stevenson Brothers and Worrell's subdivision of part of sections five (5) and eight (8).

The following described territory was annexed to the city by an ordinance passed April 21st, 1905, approved April 22nd, 1905: Beginning at the northwest corner of the east half of the southeast quarter ($\frac{1}{4}$) of section three (3) in Township twenty-three (23) north, Range two (2) East of the third (3rd) Principal Meridian, thence south along the west line of the east half of the southeast quarter ($\frac{1}{4}$) of said Section three (3), to the south line of Olive Street as laid out in Warner & Carter's East Lawn Subdivision of part of the east half of the southeast quarter ($\frac{1}{4}$) of said Section three (3), thence east along the south line of said Olive street, and extended eastward parallel with the said line, to a point thirty (30) feet east of the east line of said Section three (3), thence north parallel with the east line of said section three (3), and thirty (30) feet east thereof to the north line of the southwest quarter ($\frac{1}{4}$) of section two (2) in township and range aforesaid, thence west along the north line of the east half of the southeast quarter ($\frac{1}{4}$) of said Section three (3) to the place of beginning.

The following described territory was annexed to the city by an ordinance passed November 4th, 1910, approved November 5th, 1910: Beginning at the quarter section corner on the north side of Section ten (10), Town twenty-three (23) North, Range two (2) East of the third (3rd) Principal Meridian, thence south along the quarter section line three hundred thirty-three (333) feet, thence east parallel with the north line of Sections ten (10) and eleven (11) to a point three hundred thirty (330) feet east of the west line of Section eleven (11) thence north parallel with the west line of Section eleven (11) and Section two (2) to the quarter section line running east and west through said section two (2), thence west along said quarter section line three hundred (300) feet to the east line of Davis street, thence south along said east line of Davis street, to the south line of Olive street, thence west along said south line of Olive street to the east line of Vale street, thence south along said east line of Vale street to the center line of Taylor street west of Vale street, thence west along the center line of Taylor street to the quarter section line running north and south through Section three (3), thence south along said quarter section line to the place of beginning.

The following described territory was annexed to the city by an ordinance passed April 19th, 1912, approved April 20th, 1912: Beginning at a point twenty-five (25) feet west of the northwest corner of Lot four (4), of the subdivision of forty (40) acres in the west half of the southeast quarter ($\frac{1}{4}$) of Section nine (9), Township twenty-four (24) North, Range two (2) East of the third (3rd) Principal Meridian, thence south parallel

with the west line of said Lot four (4), to a point on the south line of LaFayette street, twenty-five (25) feet west of and forty-nine and five tenths (49.5) feet south of the southwest corner of said Lot four (4), thence east along the south line of LaFayette street to a point thirty (30) feet east of and forty-nine and five tenths (49.5) feet south of the southeast corner of said Lot four (4), thence north parallel with the east line of said Lot four (4), to a point thirty (30) feet east of the northeast corner of said Lot four (4), thence west along the north line of said Lot four (4), to the place of beginning.

Also, commencing at a point in the City of Bloomington, Illinois, on the township line which is the north side of Section five (5), Township twenty-three (23) North, Range two (2) East of the third (3rd) Principal Meridian, thirty-three (33) feet west of the east line of Hinshaw avenue, thence extending west along said Township line one thousand seventy-four and one-half feet (1074½) to a point in the center of the highway known as the White Oak Road, thence southerly parallel with the east line of said highway six hundred and eight feet (608), thence east four hundred sixty-two and seven-tenths feet (462.7), thence south one hundred and fifty feet (150), thence east five hundred eight and eight-tenths feet (508.8) to the center of Hinshaw avenue, thence north parallel with the east line of Hinshaw avenue five hundred seventy-eight feet (578) to the place of beginning.

Also, commencing on the east line of Morris Avenue, in the City of Bloomington, Illinois, at its intersection with the quarter section line running east and west through Section eight (8), Township twenty-three (23) North, Range two (2) East of the third (3rd) Principal Meridian, extending south along the east line of Morris avenue four hundred eighty and sixty-seven hundredths feet (480.67), thence east three hundred twenty-two and seventy-four hundredths feet (322.74), thence north sixty-four and twenty-one hundredths feet (64.21), thence east three hundred fifteen and ten hundredths feet (315.10), thence north one hundred twelve feet (112), thence east one hundred sixty-six and one-half feet (166½), thence north one hundred feet (100), to the south line of VanSchoick street, thence east along the south line of VanSchoick street four hundred forty-five (445) feet, thence north to the aforesaid quarter Section line, thence west along said quarter Section line to the place of beginning.

Also, all of Lot seven (7) of the subdivision of the southeast quarter (¼) of Section eight (8), Township twenty-three (23) North, Range two (2) East of the Third (3rd) Principal Meridian, except the east two hundred forty-two feet (242) thereof, and also except that portion of said Lot seven (7) heretofore deeded to the Highway Commissioners of Bloomington Township.

Also, all that part of Lots eleven (11) and twelve (12) in the subdivision of the southeast quarter (¼) of Section eight (8) in Township twenty-three (23) North, Range two (2) East of the Third (3rd) Principal Meridian, which lies north and west of the center line of the public highway known as the Springfield Road, and containing seventeen and one-eighth (17⅛) acres, being the territory comprising O'Neil Park and that part of Miller Park not now within the city limits.

PROCLAMATION

To the Honorable, the Members of the City Council of the City of Bloomington, and the Electors of Said City:

WHEREAS, at the annual City Election held in and for the City of Bloomington, on the 7th day of April, A. D. 1914, the proposition, "SHALL THE CITY OF BLOOMINGTON ADOPT THE COMMISSION FORM OF MUNICIPAL GOVERNMENT," was submitted to the electors of said City, as provided in an act of the General Assembly of the State of Illinois, entitled, "AN ACT TO AMEND AN ACT ENTITLED, AN ACT TO PROVIDE FOR THE INCORPORATION OF CITIES AND VILLAGES," approved April 10, 1872, in force July 1, 1872, and all acts amendatory thereto, by adding thereto Article 13, approved March 9, 1910, in force July 1, 1910, and the amendments thereto, And

WHEREAS, at said City Election there were cast by the electors of said City 12,345 votes on said proposition, 8,079 of said votes were cast "Yes" or for the adoption of said proposition, and 4,266 of said votes were cast "No" or against said proposition, and the majority of the votes cast upon said proposition being cast "Yes" or for said proposition, said act was adopted at said election in said city. Therefore,

I, James Costello, Mayor of the City of Bloomington, do hereby make proclamation that the provisions of the foregoing act were adopted in the City of Bloomington at said election, and are now in full force and effect, in manner and at the time, as in said act provided.

Witness my hand and seal at Bloomington, Illinois, this 9th day of April, A. D. 1914.

JAMES COSTELLO,
Mayor of the City of Bloomington.

AN ORDINANCE
FOR REVISING AND CONSOLIDATING THE
GENERAL ORDINANCES
OF THE
CITY OF BLOOMINGTON, ILLINOIS

WHEREAS, it is necessary that the general ordinances of the City of Bloomington, Illinois, be revised; and

WHEREAS, it is expedient that they should be consolidated and codified in appropriate chapters, articles and sections, the whole to be known as "An Ordinance for revising and consolidating the general ordinances of the City of Bloomington, Illinois"; therefore,

Be it Ordained by the Council of the City of Bloomington, Illinois:

CHAPTER I.
DEPARTMENTS

Section.	Section.
1. Distribution of Powers, etc.— Five Departments.	3. Assignment of Departments— Controlled by Council.
2. Council to Determine Powers and Duties of Depart- ments — Of Officers and Employees — Rules and Regulations.	4. Departmental Rules and Regu- lations.
	5. Commissioners—Power of Ap- pointment and Discharge by.

1. **Distribution of Powers, etc.—Five Departments.] § 1.** The executive and administrative powers, authority and duties of the municipal government of the City of Bloomington, Illinois, shall be distributed into five departments, as follows:

1. Department of Public Affairs.
2. Department of Accounts and Finances.
3. Department of Public Health and Safety.
4. Department of Streets and Public Improvements.
5. Department of Public Property.

2. Council to Determine Powers and Duties of Departments—Of Officers and Employees—Rules and Regulations.] § 2. The council shall determine by ordinance the powers and duties of and to be performed by each department, and assign them to the appropriate department; shall prescribe the powers and duties of officers and employees, and may assign employees to one or more of the departments; may require an officer or employee to perform duties in two or more departments, and may make such other rules and regulations as may be necessary or proper for the efficient and economical conduct of the business of the city.

3. Assignment of Departments—Controlled by Council.] § 3. The Mayor shall be Commissioner of Public Affairs, and as such he shall be Superintendent of that department; and the council shall, at the first regular meeting after the election of its members, designate by a majority vote, one Commissioner to be Commissioner of Accounts and Finances, who shall be Superintendent of that department; one to be Commissioner of Public Health and Safety, who shall be Superintendent of that department; one to be Commissioner of Streets and Public Improvements, who shall be Superintendent of that department, and who *ex officio* shall be Commissioner of Public Works; and one to be Commissioner of Public Property, and as such to be Superintendent of that department; but such designation may be changed by the council whenever it appears that the public service would be benefited thereby.

4. Departmental Rules and Regulations.] § 4. Except as otherwise provided by law or ordinance, the superintendent of each department shall make and enforce such rules and regulations not inconsistent with law or the ordinances or rules and regulations adopted by the city council, as may be necessary to secure efficient conduct of the service of his department or the business in charge thereof.

5. Commissioners—Power of Appointment and Discharge by.] § 5. The Commissioner of each respective department shall be and hereby is vested with the right, power and authority to appoint all heads of departments, officers and employees under his charge, control or supervision, unless otherwise provided in these ordinances: *Provided*, that all such appointments, except day laborers and temporary employees, shall be subject to the approval of the council, and no such appointment shall take effect or be valid without such approval. The commissioner of each respective department shall be and hereby is vested with the right, power and authority to discharge at will, without the approval thereof by the council, any person so appointed by him, whenever in the judgment of said commissioner the efficient conduct of the city's affairs shall demand it.

CHAPTER II.

THE COUNCIL

Section.

6. Council—Members—Governing Body.
7. Meetings.
8. Special Meetings—All Meetings Public.
9. Rules for Control of Council.

Section.

10. Council—Powers and Duties—Contracts—Reports to—Assignment of Special Duty—Officers elected by.
11. Printed Statement to be Furnished Monthly.
12. Annual Audit—Publication.

6. Council—Members—Governing Body.] § 1. The council of the City of Bloomington shall consist of the Mayor and four commissioners, and shall be the governing body of the city.

7. Meetings.] § 2. Regular meetings of the council shall be held on Friday of each week at the hour of ten o'clock a. m. at the council chamber of said council, or such other place in the City of Bloomington as the council shall designate: *Provided, however,* that if any such regular meeting shall fall upon any holiday, recognized as such by either the laws of the United States or the laws of the State of Illinois, then the said regular meeting so falling on said holiday shall be held on the day, not Sunday or a holiday, before said holiday at the time and place aforesaid.

8. Special Meetings—All Meetings Public.] § 3. Special meetings of the council may be called from time to time by the Mayor or two commissioners upon giving not less than twenty-four hours' notice to all members of the council: *Provided, however,* that if all members of the council are present at such special meeting no notice of such meeting shall be necessary. All meetings of the council, whether regular or special, shall be open to the public.

9. Rules for Control of Council.] § 4. The following rules shall govern the council in its deliberations:

1st. The council shall convene promptly at the hours fixed for meetings, and during the session the members of the council must not be disturbed by calls over the telephone, or for private consultations.

2nd. All petitions or communications addressed to the council shall as far as possible be reduced to writing and filed with the clerk of the council, who will report them to the next meeting of the council, when they will be referred to the proper department for an investigation and report.

3rd. All bills and claims, including pay-rolls, shall first be approved by the commissioner originating the item, and in addition thereto shall

be approved by the Commissioner of Accounts and Finances before they are submitted to the council for allowance.

4th. All recommendations, suggestions or other matters from the various city officials shall first be submitted to the commissioner of the department of said official and receive his approval before the same are read to the council.

5th. The hours from nine o'clock to eleven o'clock during the morning of each day shall be observed by the commissioners as office hours, at which time the public generally may find the commissioners at their respective offices and submit any matter to them, except such days as the council shall hold its meetings.

6th. The following shall be the order of business at council meeting:

1. Roll Call.
2. Reading of the Journal.
3. Report from Department of Public Affairs.
4. Report from Department of Accounts and Finances.
5. Report from Department of Public Health and Safety.
6. Report from Department of Streets and Public Improvements.
7. Report from Department of Public Property.
8. Communication from the Board of Local Improvements.
9. Petitions and Communications.
10. Unfinished Business.
11. New Business.
12. Adjournment.

7th. Three members of the council shall constitute a quorum, and the affirmative vote of three members shall be necessary to adopt any motion, resolution or ordinance, or pass any measure, unless a greater number is provided for by law.

8th. Upon each vote the "yeas" and "nays" shall be called and recorded, and each motion, resolution or ordinance shall be reduced to writing and read before a vote is taken thereon, and all the commissioners, including the Mayor, present at any meeting shall vote thereon.

9th. The Mayor shall be president of the council and preside at its meetings. The Commissioner of Accounts and Finances shall be vice-president of the council.

10th. The Mayor shall have no power to veto any measure, motion, resolution or ordinance. Every resolution and ordinance passed by the council must be signed by the Mayor, or by two commissioners. Every ordinance must be recorded before the same shall be in force. The Mayor shall have the right to vote on all questions coming before the council.

11th. Roberts Rules of Order except when otherwise provided by law shall govern on all questions of parliamentary law at the meetings of the council.

12th. These rules may be altered, amended or temporarily suspended at any time by a vote of the council.

10. Council—Powers and Duties—Contracts—Reports to—Assignment of Special Duty—Officers Elected by.] § 5. The council shall have and exercise all legislative powers, functions and duties conferred upon the city or its officers. It shall make all orders for the doing of work, or the making or construction of any improvements, bridges or buildings. It shall levy all taxes, apportion and appropriate all funds, and audit and allow all bills, accounts, pay rolls and claims, and order payment thereof.

It shall make or authorize the making of all contracts, and no contract shall bind or be obligatory upon the city unless either made by ordinance or resolution adopted by the council or reduced to writing and approved by the council, or expressly authorized by an ordinance or resolution adopted by the council. All contracts and all ordinances and resolutions making contracts or authorizing the making of contracts shall be drawn by the Corporation Counsel or approved thereby before the same are made or passed.

All commissioners of departments and officers are the agents of the council only, and all their acts shall be subject to review or approval or revocation by the council. Every commissioner or officer shall, from time to time, as required by law or ordinance, or when requested by the council, or whenever he shall deem necessary for the good of the public service, report to the council in writing respecting the business of his department or office or matters connected therewith.

The council may, by ordinance or resolution, assign to a commissioner, officer or employee duties in respect to the business of any other department, office or employment, and such service shall be rendered without additional compensation.

The council shall also elect and have authority over the City Clerk, City Treasurer and Corporation Counsel.

11. Printed Statement to be Furnished Monthly.] § 6. The council shall print each month in pamphlet form a detailed itemized statement of all receipts and expenses of the city and a summary of its proceedings during the preceding month, and furnish printed copies thereof to the State Library, the City Library, all the daily newspapers of general circulation in the city, and to all persons who shall apply therefor at the office of the City Clerk.

12. Annual Audit—Publication.] § 7. At the end of each year the council shall cause a complete and full examination of all accounts and books of the city to be made by competent accountants, and shall publish the result of such examination in the manner above provided for the publication of the statement of monthly expenditures.

CHAPTER III.

DEPARTMENT OF PUBLIC AFFAIRS.

Article.

1. **The Mayor.**
2. **Corporation Counsel.**
3. **Police Department.**
4. **Chief of Police.**
5. **Captain of Police.**
6. **Desk Sergeant.**
7. **Police Matron.**

Article.

8. **Detective-Sergeants.**
9. **Patrol Drivers and Janitor.**
10. **Police Patrolmen.**
11. **City Prison.**
12. **Inspector of Oils.**
13. **Pound.**
14. **Library.**

ARTICLE I.

THE MAYOR.

Section.

13. **Mayor—Shall be Commissioner of Public Affairs.**
14. **Bond.**
15. **Powers and Duties.**

Section.

16. **Annual Estimate.**
17. **Sale of Real Estate Acquired on Tax Sale.**

13. **Mayor—Shall be Commissioner of Public Affairs.]** § 1. The Mayor shall be Commissioner of Public Affairs, and as such shall be superintendent of that department.

14. **Bond.]** § 2. Before entering upon the duties of his office, the Mayor shall execute a bond in the form prescribed by law in the penal sum of ten thousand dollars, with sureties to be approved by the Judge of the the County Court of McLean County, Illinois. Said bond shall be filed in the office of the County Clerk of McLean County, Illinois.

15. **Powers and Duties.]** § 3. The Mayor shall have general supervision and oversight over all departments and offices of the city government. He shall be the chief executive officer and representative of the city, and shall preside at all meetings of the city council. He shall sign all contracts on behalf of the city and shall have charge of and cause to be prepared and published all statements and reports required by law or by ordinance or by resolution of the council.

In the absence or inability of any of the commissioners to act, he shall exercise temporary supervision over the department assigned to such commissioner.

He shall have supervision and control over the Legal Department; the Police Department and all officers and employees therein; the city prison,

the city hall and all stations and jails, and the city ambulance and police patrol; the Oil Inspector, the Poundkeeper; and the Public Library; together with all property and apparatus used in said offices and departments.

He shall have charge of the enforcement of all ordinances of the City of Bloomington, and it shall be his duty to see that said ordinances are properly enforced.

16. Annual Estimate.] § 4. The Commissioner of Public Affairs shall prepare and submit to the Commissioner of Accounts and Finances, before the first day of May of each year, an estimate of the whole cost of maintaining his department, including all sub-departments and activities under his control and supervision, during the succeeding fiscal year, which estimate shall be in detail, and shall be laid by the Commissioner of Accounts and Finances before the council at the same time that the annual estimate of the said Commissioner of Accounts and Finances is laid before the council.

17. Sale of Real Estate Acquired on Tax Sale.] § 5. The Mayor and City Clerk are hereby authorized and empowered to sell and convey with the consent of the council any and all lots, tracts or parcels of real estate to which a title is held by the City under sale or conveyance for city taxes or assessments. In no case shall such sale or conveyance be made for less consideration than the amount of the original purchase money with lawful interest thereon.

ARTICLE II.

CORPORATION COUNSEL.

Section.

18. Corporation Counsel—Office
Created—Term.

Section.

19. Bond—Oath.
20. Powers and Duties.

18. Corporation Counsel—Office Created—Term.] § 1. There is hereby created the office of Corporation Counsel. Annually, on the first day of May, or as soon thereafter as the council may see fit, one or more persons shall be elected by the council to act as Corporation Counsel, who shall hold the office for the term of one year or until his or their successor is elected and has qualified.

19. Bond—Oath.] § 2. Before entering upon the duties of the office of Corporation Counsel, he or they, as the case may be, shall take the oath prescribed by law for all city officers, and execute and deliver a bond payable to the City of Bloomington in the penal sum of five thousand dollars, with sureties to be approved by the council, conditioned upon the faithful performance of his or their duties as said Corporation Counsel.

He or they shall receive such salary or compensation as the council may hereafter by ordinance provide.

20. Powers and Duties.] § 3. The Corporation Counsel shall be the legal adviser of the City, and when required shall advise the council or any official in all matters of law in which the interests of the city are involved, and shall draw such current ordinances, bonds, and contracts, or examine and approve the same, as may be required by the Mayor, commissioners or council, or any other official; shall attend all meetings of the council and of the Board of Local Improvements when requested so to do by the Mayor or commissioners; shall prosecute or defend all suits or actions for the violation of any city ordinance or other action in which the city shall be a party or has any interest, in any court or before any judicial tribunal, and use all necessary and proper means for the enforcement or protection of the rights of the city; and when from any cause said Corporation Counsel is not able to attend to the duties of the office he or they may, with the consent of the Mayor, appoint some one to act for the city; and whenever in the opinion of the council the interest of the city may require it, an assistant counsel may be employed at the expense of the city.

Appeals to the Appellate Court and Supreme Court shall only be taken upon the approval of the council. Such Corporation Counsel shall have power to adjust all pending litigation and to settle same upon the authority of the council; shall report to the council any defects which may be discovered in any ordinance or in the authorized powers of any city officer, with a recommendation for remedying the same; shall cause executions to be issued upon all judgments recovered in favor of the city and see to their prompt collection; shall examine all fee bills of officers of courts and certify to the correctness of the same and the liability of the city therefor; shall transcript appeals from the judgment of any Police Magistrate or Justice of the Peace to the County or Circuit Court of McLean County in any case when it is believed public interest requires it, but no appeal or writ of error shall be taken by said Corporation Counsel on behalf of the city to any higher court unless authorized or directed to do so by the council; shall be entitled to receive from any city officer certified copies of any paper, contract or other document which may be required in the prosecution or defending of any suit, or which may be needed for any other purpose connected with the proper transaction of the duties of the office.

The Corporation Counsel shall annually or oftener if required by the council, report in writing to the council a detailed statement of all actions instituted and pending in courts of record wherein the City of Bloomington is plaintiff or defendant, giving the names of the parties to the suit, the date of commencement, the nature thereof and the several steps taken to bring the same to final issue; shall give a list of all cases disposed of in any court of record during the year with such remarks as may be deemed proper to the end that the council may be kept fully advised as to the legal affairs of the city.

It shall be the duty of said Corporation Counsel to keep in a suitable book to be provided by the city for that purpose, a record of all written opinions given or furnished to said council or to any officer, and shall also keep a register of all actions in the courts of record prosecuted or defended by said Corporation Counsel in which the city was a party, and the various proceedings in connection therewith; said Corporation Counsel shall on demand deliver to the council the books, registers, contracts, bonds or other papers in his or their possession belonging to the city or pertaining to said office.

He or they, as the case may be, shall not be required to prosecute any suit or action arising under the ordinances of the city, when upon investigation of the same he or they shall become satisfied that the complaint was instituted maliciously or vexatiously and without probable cause; or where there is not sufficient evidence in their judgment to obtain a conviction; and he or they shall be authorized to discontinue any such suit or proceeding upon such terms as may be deemed just and equitable and shall have and possess the powers and rights usually possessed by attorneys-at-law when acting for said city.

ARTICLE III.

POLICE DEPARTMENT.

Section.

21. Police Department Created—Officers Therein.

21. Police Department Created—Officers Therein.] § 1. There is hereby established an executive department of the municipal government of the City of Bloomington to be known as the Police Department, which shall be under the supervision of the Commissioner of Public Affairs, and shall embrace one Chief of Police, one Captain of Police, one Desk Sergeant, one Police Matron, four Detective Sergeants, two Drivers of Patrol Wagon, one Janitor of City Hall and such Police Patrolmen as may from time to time be fixed by the council.

ARTICLE IV.

CHIEF OF POLICE.

Section.

- 22. Chief of Police—Office Created—Appointment—Term—Other Designation.
- 23. Bond—Oath.
- 24. Powers and Duties.
- 25. Fires—Nuisances—Obstructions.

Section.

- 26. Report Misconduct—Power of Suspension.
- 27. Attend Council Meetings—Custody of City Hall—Serve Process.
- 28. Detail Police as Additional Sanitary Officers—When.

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|--------------------------------|------------------------------|
| 29. Monthly Reports. | 32. Shall Notify Corporation |
| 30. Records of Office. | Counsel of Suits, etc. |
| 31. Patrol Wagon and Ambulance | 33. Annual Estimate. |
| —Control of. | 34. Shall Wear Uniform. |

22. Chief of Police—Office Created—Appointment—Term—Other Designation.] § 1. There is hereby created the office of Chief of Police, who shall be appointed annually by the Commissioner of Public Affairs, with the approval of the council, on the first day of May of each year, or as soon thereafter as may be, which appointment shall be for the term of one year and until his successor is appointed and has qualified. He shall be Chief of the Police Department, and shall perform such duties as are imposed upon him by law or ordinance, and in addition thereto such other duties as may be assigned to him from time to time by the council or by the Commissioner of Public Affairs. He shall be known also as the City Marshal.

23. Bond—Oath.] § 2. Before entering upon the duties of his office he shall take the oath prescribed for all city officers, and enter into bond in the penal sum of five thousand dollars, with good and sufficient sureties to be approved by the council, conditioned upon the faithful performance and discharge of his duties in such office. He shall receive such salary or compensation as the council by ordinance may direct.

24. Powers and Duties.] § 3. He shall, in subordination to the Commissioner of Public Affairs, have the full management and control of the police department of the city, and all regulations and orders of said department shall be promulgated through him. All subordinate members and officers of said department shall be subject to such rules and regulations as from time to time shall be prescribed by said Chief of Police, with the concurrence of the Commissioner of Public Affairs.

He shall devote his entire time to the discharge of the duties of his office, and shall be charged with the preservation of the peace, order, safety and cleanliness of the city, and to this end he shall execute and enforce all ordinances and police regulations of said city, and orders of the city council and Mayor.

25. Fires—Nuisances—Obstructions.] § 4. He shall be charged with the duty of protecting the rights of persons and property and providing proper police protection at every fire. He shall also take notice of all nuisances and take proper steps to abate the same. He shall cause to be removed all impediments and obstructions in the streets, avenues, alleys and public places of the city, or cause immediate notice thereof to be given to the proper officer whose duty it may be to attend to the same, according to the ordinances of the city.

26. Report Misconduct—Power of Suspension.] § 5. He shall promptly report in writing to the Commissioner of Public Affairs any

member of the police force who is guilty of drunkenness, neglect of duty, disobedience of orders, violation of the standing rules and regulations of the police department, or other conduct unbecoming an officer, and during the pendency of any formal charges against any subordinate officer of said department, he may suspend such officer from duty until such charges are investigated.

27. Attend Council Meetings—Custody of City Hall—Serve Process.] § 6. He shall attend, either in person or by deputy, all meetings of the council when requested by the Mayor or any commissioner. He shall have the care and custody of the city hall. He shall also serve all warrants or other legal process required to be served by him by law or ordinance of the city.

28. Detail Police as Additional Sanitary Officers—When.] § 7. The Chief of Police shall, when requested by the health department and directed by the Mayor so to do, detail not to exceed two policemen to act in the capacity of sanitary officers to assist the Sanitary Policeman, and when so acting said officers shall be under the direction and authority of the Commissioner of Public Health and Safety, and shall act in such capacity as long as required by said health department, or until relieved from said duty by the Mayor.

29. Monthly Reports.] § 8. He shall make monthly reports in writing to the Mayor, who shall lay the same before the Council, of the state of the police department, with such statistics and suggestions as he may deem advisable for the improvement of the police force, its discipline and government. Such report shall also show the number of arrests made by the police force during the preceding month, the offense charged, the magistrate before whom tried, and the disposition of the case.

30. Records of Office.] § 9. He shall have general supervision of all books, records, equipments and other property belonging to the police department, and of stolen goods seized and detained by police authority. Upon the expiration of his term of office, or resignation or removal therefrom, he shall surrender to the Mayor, or his successor in office, all books, records, equipments, property and other effects coming into his possession by virtue of his office.

31. Patrol Wagon and Ambulance—Control of.] § 10. He shall have the care and custody, subject to the supervision of the Mayor, of the police patrol wagon and city ambulance, together with any horses and equipments pertaining thereto.

32. Shall Notify Corporation Counsel of Suits, etc.] § 11. It shall be the duty of the Chief of Police to cause the Corporation Counsel to be informed of any suits instituted by him, or through his department, wherein the interests of the city may require the presence of said Corporation Counsel at the trial thereof.

33. Annual Estimate.] § 12. The Chief of Police shall prepare and submit to the Commissioner of Public Affairs on or before the first day of May of each year an estimate of the whole cost and expense of providing for and maintaining the department of police of the city during the succeeding fiscal year, which report shall be in detail.

34. Shall Wear Uniform.] § 13. He shall wear such uniform, to be provided at his own expense, as may be designated by the Mayor, or the rules and regulations of said department, indicative of his relative rank in the police department.

ARTICLE V.

CAPTAIN OF POLICE.

Section.

Section.

35. Captain of Police—Office Created—Appointment.]

38. In Absence of Chief of Police—Shall Perform His Duties.]

36. Bond—Oath.]

39. Shall Wear Uniform.]

37. Powers and Duties.]

35. Captain of Police—Office Created—Appointment.] § 1. There is hereby created the office of Captain of Police, and his duties shall be those prescribed by law and ordinance, and in addition thereto such other duties as may from time to time be imposed upon him by the council or the Commissioner of Public Affairs. He shall be appointed annually on the first day of May of each year, or as soon thereafter as may be, by the Commissioner of Public Affairs, with the approval of the council.

36. Bond—Oath.] § 2. Before entering upon the duties of his office he shall take the oath prescribed for all city officers, and shall execute and deliver a bond payable to the City of Bloomington in the penal sum of four thousand dollars, with sureties to be approved by the council, conditioned upon the faithful performance of the duties of his office. He shall receive such salary or compensation as shall be provided by ordinance.

37. Powers and Duties.] § 3. He shall be second in command of the police department, in subordination to the Mayor and Chief of Police, and shall have special charge of the police department during the night time.

38. In Absence of Chief of Police—Shall Perform His Duties.] § 4. He shall, in case of the temporary absence or disability of the Chief of Police, possess all the powers and exercise all the duties of said Chief of Police.

39. Shall Wear Uniform.] § 5. He shall wear such uniform, to be provided at his own expense, as may be designated by the Mayor or the rules of said department, indicative of his relative rank in the department.

ARTICLE VI.

DESK SERGEANT

Section.	Section.
40. Desk Sergeant—Office Created—Appointment—Term.	44. Records of Complaints Against Policemen—Custody of Stolen Goods.
41. Bond—Oath.	45. Record as to Electric Lights and Sidewalks.
42. Shall Keep Records, etc.	46. Reports.
43. Register of Arrests, etc.	47. Shall Wear Uniform.

40. **Desk Sergeant—Office Created—Appointment—Term.] § 1.** There is hereby created the office of Desk Sergeant, who shall be appointed annually by the Commissioner of Public Affairs, with the approval of the council, on the first day of May, or as soon thereafter as may be. His duties shall be such as are prescribed by law or ordinance, and in addition thereto such other duties as may from time to time be imposed upon him by the council or the Commissioner of Public Affairs. He shall hold office for the term of one year and until his successor is appointed and has qualified.

41. **Bond—Oath.] § 2.** Before entering upon the duties of his office he shall take the oath prescribed for all city officers and shall execute and deliver a bond payable to the City of Bloomington in the penal sum of two thousand dollars, with sureties to be approved by the council, conditioned upon the faithful performance of the duties of his office. He shall receive such salary or compensation as shall be prescribed by ordinance.

42. **Shall Keep Records, etc.] § 3.** He shall be the clerk of the police department, and shall, under the direction of the Chief of Police, keep the books, records and accounts of said department.

43. **Register of Arrests, etc.] § 4.** He shall keep a neat and legible record, at all times open for inspection, which shall state the names of persons arrested, their place of residence, the day and hour of said arrest, the cause of arrest, when and where detained or committed, whether released on bail, when and before whom examined or tried, the finding of the magistrate, the amount of the fine imposed, if any; whether paid or unpaid; if not paid, when and where worked out; the term of imprisonment, if any; where imprisoned and when released; if discharged, by whose order and for what cause. Said record shall show each day's operations separately.

44. **Record of Complaints Against Policemen—Record of Stolen Goods.] § 5.** He shall also keep a record of complaints against policemen, and of the time lost by policemen, an account of moneys received and expended, and for what purposes expended; of suspected persons and places, and of all stolen goods and property seized and retained by police

authority, and of any money, property, valuables or weapons taken from the person of any prisoner under arrest, and the disposition of the same and under whose orders.

45. Record as to Electric Lights and Sidewalks.] § 6. He shall also keep a daily record of the condition and efficiency of the electric lights of the city, and a record of any defects or obstructions in any public street or sidewalk, and by whom reported.

46. Reports.] § 7. He shall furnish a detailed written report of the state of the department as shown by his books and records, as often as may be required by the Chief of Police, Mayor or city council. And at the expiration of his term of office he shall deliver to his successor or other officer designated by the Mayor, all books, papers, accounts, documents, and other property coming into his hands by virtue of his official position.

47. Shall Wear Uniform.] § 8. He shall wear such uniform, to be provided at his own expense, as may be designated by the Mayor or the police regulations of the city, indicative of his rank in the department.

ARTICLE VII.

POLICE MATRON

Section	Section
48. Police Matron—Office Created—Appointment—Term.	51. Shall Have Charge of Female Prisoners.
49. Bond—Oath.	52. Prohibited From Carrying Messages.
50. Qualifications.	

48. Police Matron—Office Created—Appointment—Term.] § 1. There is hereby created the office of Police Matron, who shall be appointed annually on the first day of May, in each year, or as soon thereafter as may be, which appointment shall be made by the Commissioner of Public Affairs, with the approval of the council. The term of said office shall be for one year, and until her successor is appointed and has qualified. Her duties and qualifications shall be such as are prescribed by law or ordinance, and in addition thereto she shall perform such duties as may from time to time be imposed upon her by the council or the Commissioner of Public Affairs.

49. Bond—Oath.] § 2. Before entering upon the duties of her office she shall take the oath prescribed for all city officers, and shall execute and deliver a bond payable to the City of Bloomington in the penal sum of five hundred dollars, with sureties to be approved by the council, conditioned upon the faithful performance of the duties of her office. She shall receive such salary or compensation as shall be provided by ordinance.

50. Qualifications.] § 3. She shall be a woman of at least thirty-five years of age, and of good moral character. She shall have been a res-

ident of the City of Bloomington for at least one year before the date of her appointment, and she must have had reasonable experience in nursing and caring for the sick and distressed.

51. Shall Have Charge of Female Prisoners.] § 4. The Police Matron shall have charge of all female prisoners in the city prison. She shall make all examinations of the person and effects of such prisoners, subject to the direction of the Chief of Police or Captain of Police, and turn over to the said chief or captain for safe keeping all articles that may be taken from the custody of such prisoners. She shall exercise such further supervision over such female prisoners while they are in custody as may be necessary, and make such recommendations to her superior officers in regard to their care and welfare as she may deem advisable.

52. Prohibited From Carrying Messages.] § 5. The Police Matron is hereby prohibited from carrying messages or doing any business for any prisoner other than is necessary for such prisoner's temporal welfare, without the special consent of the Chief of Police or Captain of Police, in each case requiring the same.

ARTICLE VIII.

DETECTIVE-SERGEANTS

Section.

53. Detective-Sergeants — Offices
Created — Appointment —
Term.
54. Bond—Oath.
55. Duties.

Section.

56. Authority over Patrolmen.
57. Shall Fill Superior Offices
When.
58. No Uniform.

53. Detective-Sergeants — Offices Created — Appointment — Term.]
§ 1. There shall be appointed annually by the Commissioner of Public Affairs, with the approval of the council, four Detective-Sergeants, which said offices hereby are created. The appointments shall be made on the first day of May in each year, or as soon thereafter as may be, and the term of said officers shall be for one year, and until their respective successors are appointed and have qualified.

54. Bond—Oath.] § 2. Before entering upon the duties of their respective offices, each of said officers shall take the oath prescribed for all city officers, and shall execute and deliver a bond payable to the City of Bloomington in the penal sum of two thousand dollars, to be approved by the council, conditioned upon the faithful performance of the duties of their respective offices. They shall receive such salary or compensation as shall be provided by ordinance.

55. Duties.] § 3. They shall perform such duties as are prescribed by law and ordinance, and such other duties as may be imposed from time to time upon them by the Council, Mayor or Chief of Police.

It shall also be the duty of the said Detective-Sergeants to see that each patrolman assigned to night police duty is on duty on his respective beat during the hours required by the ordinances of the City of Bloomington, and to that end shall make regular calls each night upon each patrolman so on duty, at certain prescribed stations upon the patrolman's beat, the respective beats which are to be visited by the different Detective-Sergeants to be designated by the Chief of Police.

56. Authority over Patrolmen.] § 4. The said Detective-Sergeants shall have such limited authority and control over the regular uniformed policemen as from time to time shall be given them by the Mayor or Chief of Police.

57. Shall Fill Superior Offices When.] § 5. In case of the temporary absence of the Captain of Police, or in case the Captain of Police is acting as Chief of Police, one of the said Detective-Sergeants shall be designated by the Mayor or Chief of Police to act in the capacity of Captain of Police, and in that capacity shall possess all the powers of the said Captain of Police and exercise all his duties. In case of the temporary absence or disability of both the Chief of Police and the Captain of Police, one of the Detective-Sergeants so designated, or some other fit person selected by the Mayor, shall possess all the powers and perform all the duties of the Chief of Police.

58. No Uniform.] § 6. The said Detective-Sergeants shall wear no uniform, but shall be what are commonly known as plain-clothes men.

ARTICLE IX.

PATROL DRIVERS AND JANITOR.

Section.

59. Patrol Drivers and Janitor—
Offices Created — Appoint-
ment—Term.
60. Bond—Oath.

Section.

61. Duties of Patrol Drivers.
62. Duties of Janitor.
63. Shall Have Police Powers—
Uniform.

59. Patrol Drivers and Janitor—Offices Created—Appointment—Term.] § 1. There shall be two Patrol Drivers and one Janitor of the City Hall, which offices hereby are created, to be appointed by the Commissioner of Public Affairs, with the approval of the council, on the first day of May of each year or as soon thereafter as may be practicable. They shall hold their respective offices for one year, or until their respective successors are appointed and have qualified.

60. Bond—Oath.] § 2. Before entering upon the duties of his office, each of the above officers shall take the oath prescribed for all city officers, and shall execute and deliver a bond payable to the City of Bloomington in the penal sum of one thousand dollars, with sureties to be approved by the council, conditioned upon the faithful performance of the duties of his office. They shall receive such salary or compensation as may be provided by ordinance.

61. Duties of Patrol Drivers.] § 3. The Patrol Drivers shall be continuously on duty during such times as the Mayor or Chief of Police shall designate, for the purpose of driving the city patrol wagon and such other conveyances as may be used by this department, and shall keep said conveyances, together with the barn and premises in which they are housed, in good condition. They shall also perform such other duties as may be imposed upon them from time to time by the council or Commissioner of Public Affairs.

62. Duties of Janitor.] § 4. The Janitor of the City Hall shall perform the usual and regular janitor work and service in and about the City Hall and the premises upon which it is located, together with such other duties in addition thereto as may be imposed upon him from time to time by the council or Commissioner of Public Affairs.

63. Shall Have Police Powers—Uniform.] § 5. Said Patrol Drivers and Janitor shall have the powers and authority of Police Patrolmen, and shall wear such uniform, provided at their own expense, as may be designated by the Mayor or the police regulations of the city, indicative of their rank in the department.

ARTICLE X.

POLICE PATROLMEN.

Section.	Section.
64. Police Patrolmen—Offices Created — Number — Appointment—Term.	73. To Serve Warrants and Process—Have Powers of Constables.
65. Bond—Oath.	74. May Call on Bystander to Assist—Refusal—Penalty.
66. Qualifications.	75. Give Fire Alarms and Attend Fires.
67. Special Police Patrolmen—Appointment of—Approval by Council.	76. Neglect of Duty, etc.—Penalty.
68. Special Police in the Employ of Individuals, etc.	77. Rules and Regulations.
69. Duties.	78. Resisting Officer—Penalty.
70. Reports to Superior Officer.	79. Falsely Impersonating an Officer—Penalty.
71. Shall Seize all Gambling Devices.	80. Hackmen, etc.—To Obey Command of—Penalty.
72. Power of Arrest.	81. Shall Procure Uniform.
	82. Shall Wear Uniform.

64. Police Patrolmen—Offices Created—Number—Appointment—Term.] § 1. There are hereby created the offices of Police Patrolmen to the number of thirty, who shall be appointed annually by the Commissioner of Public Affairs, with the approval of the council, on the first day of May of each year, or as soon thereafter as may be. If in the judgment of the Commissioner of Public Affairs it shall not be necessary to have thirty Police Patrolmen, he may appoint as many, less than thirty, as in his judgment shall be sufficient properly to patrol the city and secure the peace and safety of the inhabitants. Each such officer shall hold his office for the term of one year and until his successor is appointed and has qualified.

65. Bond—Oath.] § 2. Before entering upon the duties of his office, each patrolman shall take the oath prescribed for all city officers, and shall execute a bond payable to the City of Bloomington, in the penal sum of two thousand dollars, with sureties to be approved by the council, conditioned upon the faithful performance of the duties of his office. Police Patrolmen shall receive such salary or compensation as shall be provided by ordinance.

66. Qualifications.] § 3. No person shall be appointed to or retained in the position of Police Patrolman who is under twenty-one years of age or over sixty years of age, nor unless he is a person of good moral character and a legal voter in said city.

67. Special Police Patrolmen—Appointment of—Approval by Council.] § 4. The Mayor may, on special occasions when in his judgment it shall be necessary for the preservation of the peace and order of the city, appoint and commission such number of special police patrolmen as he may deem necessary. Said special police patrolmen shall be dismissed as soon as the exigency of their appointment shall no longer exist. During the term of their appointment said special police patrolmen shall possess the powers and exercise the duties of the regular police patrolmen and shall receive the same compensation. But the Mayor shall, at the next regular meeting of the city council after the appointment of such special police patrolmen, lay before the council the names and number of said police patrolmen so appointed and the cause therefor, and if the acts of the Mayor in making said appointments are not approved and confirmed, said special police patrolmen shall be considered and held to be at once dismissed and discharged.

68. Special Police in the Employ of Individuals, etc.] § 5. The Mayor may, on application being made to him, appoint any suitable person in the employ of any corporation, association, individual or firm, a special policeman in and for said city; or he may, if deemed proper, appoint any person employed in any other branch of the city service to be such special policeman. Special policemen shall have all the qualifications required in the case of regular policemen; they shall take and subscribe the same oath, give like bond, exercise the same powers, be under control of the same au-

thorities, and be subject to the same rules and regulations of the police department so far as the same are applicable to them: *Provided*, that such special policemen shall not be paid anything by the city for their services as policemen. Said special policemen shall be provided with stars by the person or persons asking their appointment, each of which shall have engraved thereon the words "Special Police, Bloomington," and such other words as the Mayor shall require. Any special policeman failing or refusing to procure and wear a star shall be fined ten dollars.

69. Duties.] § 6. The several members of the police force when on duty shall devote their entire time to the proper discharge of their duties as prescribed by the ordinances of the city and the rules and regulations of the police department. It shall be their special duty to preserve order, peace and quiet, and to enforce all the ordinances throughout the city.

70. Reports to Superior Officer.] § 7. Every policeman shall report to his commanding officer all persons known to be gamblers, or suspected of gambling, receivers of stolen property, thieves, burglars or disorderly persons, and also all unlawful or disorderly houses or places in said city which may, from time to time, come to his knowledge. He shall also report to the Desk Sergeant any defects or any obstructions in any public street, alley or sidewalk in said city.

71. Shall Seize all Gambling Devices.] § 8. It shall be the duty of each member of the police department to seize any table, instrument, chips, slot machine or gambling device, or anything of any kind used for gaming, and forthwith convey the same to the police headquarters.

72. Power of Arrest.] § 9. The police patrolmen, together with the Chief of Police, Captain of Police, Detective Sergeants, Desk Sergeant and all other persons possessing the power and authority of police patrolmen, shall have power to arrest all persons in the city found in the act of violating any law or ordinance, or aiding or abetting in any such violation, and shall arrest all persons found under suspicious circumstances, and shall take all persons so arrested to the city prison until they can be brought before the proper magistrate or court for trial or examination.

73. To Serve Warrants and Process—Have Powers of Constables.] § 10. They shall have power and authority and it shall be their duty, in the city and outside of the same, when necessary and lawful, to serve and execute warrants and other legal papers for the apprehension and commitment of persons charged with the violation of any city ordinance, or any crime or misdemeanor, or offense against the laws of the city or state, or held for examination or trial. And they shall also have power and authority, and it shall be their duty, to serve and execute any civil process issued by any court in which the city is a party, and while serving or executing, or assisting in the service or execution of any such warrant or process, they shall be vested with and have all the powers and authority conferred on constables at common law and by the laws of this state.

74. May Call on Bystander to Assist—Refusal—Penalty.] § 11. Any police officer may, at any time, call upon any able bodied male person above the age of twenty-one years to aid him in arresting or taking into custody any person guilty of having committed any unlawful act, or charged therewith, or to aid such officers in preventing the commission of any unlawful act. Whoever shall refuse or neglect to give such aid or assistance when so requested shall be subject to a penalty of not less than three dollars nor more than twenty-five dollars for each offense.

75. Give Fire Alarms and Attend Fires.] § 12. It shall be the duty of the police patrolmen to aid the fire department by giving alarms in case of fire and in clearing the streets or grounds in the immediate vicinity of the fire, whenever the same shall be necessary to aid the firemen in the performance of their duties.

76. Neglect of Duty, etc.—Penalty.] § 13. Any member of the police force who shall neglect or refuse to perform any duty required of him by the ordinances of the city or the rules and regulations of the police department, or who shall in the discharge of his official duties be guilty of any fraud, favoritism, extortion, oppression or wilful wrong or injustice, or who shall become intoxicated while in the discharge of his duties, or who shall hold familiar conversation with prostitutes, or associate with rowdies, gamblers or persons of low repute, or who shall use violent, coarse, insolent or abusive language to a superior or fellow officer, or to any citizen, resident or stranger, or who shall use the power vested in him for the satisfaction of personal ill-will or hatred against any person, shall, in each case, be subject to a fine of not less than five dollars nor more than one hundred dollars, and shall also be subject to removal from office by the Mayor.

77. Rules and Regulations.] § 14. The following rules and regulations for the general government of the police department of the City of Bloomington, hereby are adopted:

First—Every member connected with the department shall devote his whole time and attention to the business of the department, and shall not follow any other calling.

Second—Although certain hours are allotted to each member for duty, yet all the members must be prepared to act at a moment's notice, whenever their services may be required, either on call by a superior officer or in view of a violation or threatened violation of any law of the state or ordinance of the city.

Third—Punctual attendance and prompt obedience to orders is required of every officer and policeman.

Fourth—No member of the department shall while on duty drink any intoxicating liquor, wine or beer, or enter any dram-shop, billiard hall, gambling house or house of ill-fame, except in the discharge of his duty; and intoxication at any time shall be sufficient cause for removal.

Fifth—Members of the department shall not accept from any person, while in custody, or after he shall have been discharged, nor from any of

his friends, any gratuity, gift or reward; nor from any person without written permission from the Mayor any compensation for damages sustained in the discharge of their duty.

Sixth—Members shall be civil and respectful to the public, and upon all occasions perform their duty with good temper and discretion, and shall not at any time while on duty make use of violent, intemperate or abusive language.

Seventh—No member shall be permitted to apply for a warrant for an assault upon himself, without first reporting the case to the Mayor, and obtaining from him permission to make such application.

Eighth—No member shall communicate to any person any information which may lead to the escape from arrest or punishment of persons accused of crime, or enable them to dispose of or secrete goods stolen or embezzled.

Ninth—No member shall communicate any information respecting orders he may have received, or any regulations that may be made for the government of the department, except to such persons as ordered by a superior in office.

Tenth—Each member shall always have with him a memorandum book, in which he shall enter the names and residences of persons by him taken in charge, and also all matters which may be important on the trial of any cause.

Eleventh—All officers and members of the department who are uniformed shall at all times, and on all occasions when on duty, display their star or emblem of office so that the entire surface thereof may be easily and distinctly seen, except where otherwise ordered by their superior officers.

Twelfth—No member of the regular police force shall leave the city without permission from the Mayor or Chief of Police, unless in pursuit of offenders fleeing from justice.

Thirteenth—All persons who shall be arrested during the time the police magistrate court shall be open, shall immediately be taken to such court, unless otherwise directed by the Mayor or Chief of Police or Captain of Police, and all persons who shall be arrested at any other time shall be immediately conveyed to the calaboose.

Fourteenth—Any property stolen or embezzled, which shall be found in the possession of any person who may be arrested, shall be taken to the police magistrates court or the city prison, as the case may be, with the person, unless otherwise ordered by the Mayor or chief of the day or night police.

Fifteenth—Any member who shall charge or receive any fee or compensation other than his legal salary, or shall receive and accept any reward for services rendered or to be rendered, unless with the knowledge and approbation of the Mayor, in writing expressed, shall be deemed guilty of a misdemeanor.

Sixteenth—Policemen must report to their respective chiefs all suspicious persons and places, all bawdy houses and second-hand dealers, receiv-

ing shops, gaming houses, and all unlicensed dram-shops or tippling houses, and all houses where idlers, tipplers, gamblers, prostitutes and other disorderly or suspicious persons may be in the habit of congregating.

Seventeenth—Policemen shall caution strangers and others against going into places where idlers, tipplers, gamblers, and other disorderly or suspicious persons congregate, and against pickpockets, watch-stuffers, and all other vicious persons. They shall also direct strangers and others who may need such direction, the nearest and safest way to their places of destination, and, if necessary, cause them to be accompanied to their place of destination by one of the police, but shall not, in any case, leave their beats for that purpose, but shall pass such person from one beat to another.

Eighteenth—One member of the police shall at all times be at the police headquarters, and whenever any person shall be arrested it shall be the duty of the person making such arrest to cause the prisoner immediately to be taken to police headquarters, and the officer on duty there shall set down in a book to be kept for that purpose the name of the prisoner, the nature of the offense charged against him, the name of the complaining witness, with the names of all witnesses on behalf of the city, and the residence, if known; and take necessary measures to secure the attendance of such witnesses at the time of the trial.

Nineteenth—All persons arrested in the night time, or at other times when no police magistrate court shall be open, shall be taken to the police headquarters and like record made as before provided, and the prisoner shall be confined in the city calaboose until the next morning; or, if arrested on Saturday night, until Monday morning, except when legally released, when the prisoner may be taken before a police magistrate and a trial had, or the case continued, as above provided in case of prisoners taken before a magistrate when arrested: *Provided*, that members of the police force on night duty, who have made the arrest, or are necessary witnesses, shall not be required to be in attendance at the police court before two o'clock p. m.

Twentieth—Every member of the day police force shall report at police headquarters for roll call and to receive orders at seven o'clock a. m., or at such time as the Chief of Police may direct; and the night police shall report for duty at seven p. m., and shall be relieved from duty at four-thirty o'clock a. m., during the months of October, November, December, January, February and March, and at four o'clock a. m. during the rest of the year, unless otherwise ordered by the Chief of Police.

Twenty-first—Such other additional rules and regulations may be adopted and may be prescribed by the Chief of Police and with the advice and consent of the Mayor, as shall seem necessary and proper for the efficiency of the department.

78. Resisting Officer—Penalty.] § 15. Whoever shall resist any member of the police force in the discharge of his duty, or shall in any way interfere with or prevent him from discharging his duty, or shall endeavor

to do so; and whoever shall, in any manner, assist any person in the custody of any member of the police force, to escape, or attempt to escape from such custody, shall be fined not less than five dollars nor more than one hundred dollars.

79. Falsely Impersonating an Officer—Penalty.] § 16. Any person who shall falsely impersonate any of the members of the police department of this city, or shall maliciously, or with intent to deceive, use or imitate any of the signs, signals or devices used by any officer of said department, or who, not being a police officer, shall wear in public the police uniform, or shall impersonate or represent falsely that he is a member or officer of said department, shall be subject to a fine of not less than ten dollars nor more than one hundred dollars for each offense.

80. Hackmen, etc.—To Obey Command of—Penalty.] § 17. Draymen, hackmen, cabmen, omnibus drivers, baggagemen and other persons, when at or about any railroad depot or other public place in the city, shall obey the commands and directions of the police officer or officers who may be stationed or doing duty at or about such depot or other public places for the preservation of order and enforcing the ordinances. Whoever shall refuse to obey the commands and directions of a police officer as aforesaid shall be subject to a fine of not less than three dollars nor exceeding ten dollars.

81. Shall Procure Uniform.] § 18. Every member of the regular police force of the city of Bloomington, except the Chief of Police and the Detective-Sergeants, shall within thirty days after his appointment and qualification procure a uniform at his own cost and expense. Such uniform shall consist of such articles of clothing, and shall be made in such manner, and of such materials as may be prescribed by the police regulations of the Mayor of said city. The buttons and insignia of rank of said police force shall be furnished by the city, and remain its property, and upon the resignation or removal of any member of said police force, he shall surrender the same to the Mayor or Chief of Police, or the cost of the same shall be deducted from his pay.

82. Shall Wear Uniform.] § 19. Each member of such police force, except the Chief of Police and the Detective-Sergeants, shall at all times wear his uniform when on duty, and any refusal or neglect on the part of any such member to wear his uniform as herein provided shall be deemed a good and sufficient cause for removal.

ARTICLE XI.

CITY PRISON.

Section.

- 83. City Prison Established.
- 84. Chief of Police Keeper.
- 85. Shall Keep Prisoners.
- 86. Commitment of Offenders—
Where—Limitation.
- 87. Prisoners Required to Work—
Allowance Therefor.

Section.

- 88. Feed Prisoners.
- 89. Resistance or Escape by Prisoners—Penalty.
- 90. Payment of Fine—Release.
- 91. Keeper to Accept Fine—Disposition Thereof.

83. City Prison Established.] § 1. The apartments adjacent to the police office on the first floor of the city hall building, and the apartments in the basement on the entire west side of the city hall building located on parts of lots nine (9) and twelve (12), block twenty (20), of Durley addition to the city of Bloomington, shall be, and the same hereby are declared to be the city prison of the City of Bloomington, together with any building and enclosures that may hereafter be erected on any lot or lands purchased, owned or leased by the City of Bloomington for the purpose of a city prison, subject to the conditions and provisions of this article.

84. Chief of Police Keeper.] § 2. The Chief of Police of said city shall be *ex-officio* the keeper of the same, and shall have the care, custody and charge of the said city prison and all persons committed thereto. He shall enforce such order and discipline therein as he may deem necessary.

85. Shall Keep Prisoners.] § 3. The Chief of Police shall receive into his custody and safely keep and confine in said prison all persons who may be legally committed to his custody or charge by any proper officer, police magistrate, or justice of the peace, until they shall be legally taken or discharged therefrom.

86. Commitment of Offenders—Where—Limitation.] § 4. Any person upon whom any fine or penalty shall be imposed, for the violation of any city ordinance, may, upon the order of the court or magistrate, or Justice of the Peace before whom the conviction is had, be committed to the city prison, work-house or other place provided by said city for the incarceration of such offenders, until such fine, penalty, and costs shall be fully paid: *Provided*, that no such imprisonment shall exceed six months for any one offense:

87. Prisoners Required to Work—Allowance Therefor.] § 5. Every person so committed, as herein provided, shall be required to work at such labor, within or without said prison or workhouse, or other place provided for the incarceration of such offenders, as his or her strength

will permit, not exceeding eight hours each working day, subject to the rules and regulations for the government and discipline of persons so committed to said prison or workhouse, and for such work the person so employed or worked shall be allowed, exclusive of his or her board, the sum of fifty cents for each day's work on account of such fine and costs.

88. Feed Prisoners.] § 6. The Chief of Police shall furnish all persons who may be confined or kept in the city prison under his charge, when the person himself shall not do so, plain, wholesome food and drink, and comfortable bedding.

89. Resistance or Escape by Prisoners—Penalty.] § 7. Every person in the custody of any officer or committed to the city prison shall obey the Chief of Police or any officer in all lawful commands, and shall not molest or hinder any officer in the discharge of his duty, and shall not escape or attempt to escape, or assist others to escape, from any officer, or attempt to escape from said prison, or destroy or injure any property appertaining thereto. Any person violating any of the provisions of this section shall be fined not less than ten dollars nor exceeding one hundred dollars.

90. Payment of Fine—Release.] § 8. No person shall be released from the city prison by the keeper thereof, except upon the satisfaction of the fine, or by an order of the Mayor or other legal authority.

91. Keeper to Accept Fine—Disposition Thereof.] § 9. The said keeper hereby is authorized to accept the fine imposed upon any prisoner committed to the city prison whenever the same together with all costs taxed in said case shall be tendered to him. All moneys so received by him shall be paid over to the Police Magistrate or justice of the peace who imposed said fine, and shall be included by said Police Magistrate or justice of the peace in his next report.

ARTICLE XII.

INSPECTOR OF OILS.

Section.	Section.
92. Inspector of Oils—Office Created—Appointment—Term.	98. Misconduct in Office—Penalty.
93. Bond—Oath.	99. Neglect to Give Notice of or Selling Oil Not Inspected—Counterfeit Brands—Penalty.
94. Duties.	
95. Inspector to Test—What Test Used.	100. Refilling Casks — Fraudulent Marks—Sale of Oil not Inspected—Penalty.
96. Tests — Casks Marked — Inspector not to Trade in Oil.	
97. Record—Open to Examination.	

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| 101. Fees for Inspection—Depu- | 105. Retailers May Keep—Per- |
| ties. | mit. |
| 102. Fees Property of City— | 106. Not to be Placed on Side- |
| Compensation. | walk, etc. |
| 103. Monthly Reports. | 107. Storage in Tanks. |
| 104. Storage of Oil. | 108. Penalty. |

92. Inspector of Oils—Office Created—Appointment—Term.] § 1.

There hereby is created the office of Inspector of Oils, who shall be appointed by the Mayor, with the approval of the council, which appointment shall be made on the first day of May of each year, or as soon thereafter as may be. He shall hold his office for the term of one year and until his successor is appointed and has qualified.

93. Bond—Oath.] § 2. Before entering upon the duties of his office he shall take the oath prescribed by statute, and shall execute and deliver a bond payable to the People of the State of Illinois in the penal sum of one thousand dollars, with sureties to be approved by the Mayor, conditioned upon the faithful performance of the duties of his office. He shall receive such salary or compensation as shall be prescribed by ordinance.

94. Duties.] § 3. He shall inspect all coal oil, petroleum, naptha, gasoline, benzine, mineral seal, signal and all other mineral oils or fluids, the product of petroleum, that shall be received or refined or produced in the city by any refiner or producer or any dealer in, or manufacturer, person, firm or corporation using, directly or in the manufacture of their product, any such oils or fluids.

95. Inspector to Test—What Test Used.] § 4. Upon the application of any manufacturer, refiner or producer of, or any dealer in, any such oil or fluid, or any officer or person, to test any such oil or fluid, or upon the arrival of any such oil or fluid within the city, such inspector shall test the same with all reasonable dispatch by applying the fire test as indicated and determined by J. Tagliabue's pyrometer, or some other instrument or means equally accurate, with which he shall provide himself at his own expense.

96. Tests—Casks Marked—Inspector not to Trade in Oil.] § 5. If the oils or fluids so tested will not ignite or explode at a temperature of less than 150 degrees Farenheit, the inspector shall mark plainly and indelibly on each cask, barrel or package, "Approved, Fire Test being"; but if such oils or fluids will ignite at a temperature of less than 150 degrees Farenheit, as aforesaid, then the inspector shall mark on each cask, barrel or package, "Condemned for illuminating purposes; fire test being.....".

Said inspector, while in office, shall not buy, sell, barter or trade, directly or indirectly, in any of the said oils or fluids, or be an employee of any refinery or firm dealing in the products herein mentioned.

97. Record—Open to Examination.] § 6. He shall within twenty-four hours after making any inspection make a full and fair entry thereof in a record book to be kept for that purpose, which shall be open to all persons wishing to examine the same.

98. Misconduct in Office—Penalty.] § 7. Any such inspector or deputy who shall falsely brand any package, cask or barrel, or be guilty of any fraud, deceit, misconduct or culpable negligence in the performance of any of his official duties, shall be fined not exceeding two hundred dollars and be liable to the party injured for all damage occasioned thereby.

99. Neglect to Give Notice of or Selling Oil Not Inspected—Counterfeit Brands—Penalty.] § 8. Any refiner or producer, or any dealer in, or manufacturer, person, firm or corporation using, directly or in the manufacture of their product, coal oil, naptha, gasoline, benzine, mineral seal, signal or other mineral oil or fluid, the product of petroleum, who shall neglect to give notice to such inspector of any such oil or fluid in his possession within two days after the same is made or refined by him or received into his possession, or shall offer any such oil or fluid for sale before the same has been so inspected, or shall sell or attempt to sell to any person for illuminating purposes, any such oil which is below the approved standard, that is, having igniting point less than one hundred and fifty degrees Farenheit, as indicated and determined in the manner herein provided, or shall use any package, cask, barrel or other thing having the inspection brand thereon, the oil or fluid therein not having been inspected, or shall counterfeit any brand, shall be fined not less than twenty-five dollars or more than two hundred dollars for each offense, and be liable to the party injured for all damages occasioned thereby, and all the casks, barrels or packages so falsely used, and their contents, shall be forfeited, and may be seized and sold.

100. Refilling Casks—Fraudulent Marks—Sale of Oil not Inspected—Penalty.] § 9. Any person, persons or corporation who shall violate any of the provisions of this article or who shall use or refill casks, barrels or packages having the inspector's brands thereon, for the purpose of fraudulently evading the conditions of this article, or shall mark the inspector's device, or any marks purporting to be marks of inspection, on any cask, barrel or package, of any of the articles named in this article, or shall offer for sale within the city any of said oil that has not been examined by said inspector or his deputy, shall be subject to a fine of not less than twenty-five dollars nor more than one hundred dollars for each offense.

101. Fees for Inspection—Deputies.] § 10. The Inspector of Oils may charge not to exceed the following fees: For inspecting one barrel, twenty-five cents; from one to five barrels, twenty cents each; from five to ten barrels, fifteen cents each; and over ten barrels, five cents each; and collect the same from the party requiring his services. He may, also,

if necessary to the convenient dispatch of his duties, appoint, with the approval of the power appointing him, a suitable number of deputies, for whom he shall be accountable, which deputies are hereby empowered to perform the duties of inspector.

102. Fees Property of City—Compensation.] § 11. All the fees collected by such inspector or deputy shall be the property of the City of Bloomington and shall be paid by said inspector or deputy to the said city. He shall receive as his salary or compensation such an amount as shall be fixed by ordinance, not to exceed five thousand dollars per year.

103. Monthly Reports.] § 12. He shall submit to the Mayor on or before the tenth day of each month his itemized report of all oils and fluids inspected by him during the preceding month, together with a report of the amount of fees collected or earned therefor, which report shall be laid before the council at its next meeting by the Mayor.

104. Storage of Oil.] § 13. It shall be unlawful for any person or corporation to keep or store within said city, unless otherwise authorized by these ordinances, any coal oil, kerosene, oil, benzine, naptha, gasoline, camphene or anything of like nature, unless the same shall be stored in a fire proof building or metal tank approved by the Superintendent of Buildings and in accordance with the rules and requirements of the National Board of Fire Underwriters, in force at the time of the construction of said building or tank.

105. Retailers may Keep—Permit.] § 14. Retailers may keep two barrels each of coal oil and gasoline to be sold at retail; *Provided*, that such retailers shall first obtain a permit from the Superintendent of Buildings, which said permit shall state in what manner said articles shall be stored.

106. Not to be Placed on Sidewalk, etc.] § 15. It shall be unlawful for any person or corporation to place or cause to be placed any of the above articles on any street, alley or sidewalk for a longer time than is sufficient to receive in store or deliver the same; *Provided*, such time shall in no case exceed six hours.

107. Storage in Tanks.] § 16. The above enumerated articles may be stored in strong iron tanks on condition that a permit be obtained from the council to so store such articles and that the said storage be in accordance with the rules and requirements of the National Board of Fire Underwriters in force at that time.

108. Penalty.] § 17. Any person or corporation violating any of the provisions of this article, where no other penalty is provided, shall be subject to a fine of not less than five dollars nor more than two hundred dollars for each offense.

ARTICLE XIII.

POUND.

Section.		Section.	
109.	Poundkeeper—Office Created—Appointment—Term.	122.	Execution on Judgment—Form of
110.	Bond—Oath.	123.	Sale Notice—Form of
111.	Domestic Animal—Unlawful to Run at Large—Penalty.	124.	Adjourning Sale—Sale Without Notice—Penalty.
112.	Poundkeeper's Duty	125.	Purchase Prohibited.
113.	Policemen—Duty.	126.	Sale—Proceeds of.
114.	Who May Impound.	127.	Breaking Pound.
115.	Sustenance for Animal—How Provided.	128.	Obstructing Taking of Animal—Penalty.
116.	Fees for Impounding.	129.	Unlawful Taking up to Impound—Penalty.
117.	Redemption of Animal.	130.	Books of Account—Yearly Audit.
118.	Proceeding as to Impounded Animal.	131.	Monthly Report—Fees to be Paid Over.
119.	Proceeding—Unknown Owner—Notice.	132.	Compensation.
120.	Justice's Docket—Entry.		
121.	Trial by Jury.		

109. Poundkeeper — Office Created — Appointment — Term.] § 1.
 There hereby is created the office of Poundkeeper, who shall be appointed annually by the Commissioner of Public Affairs, with the approval of the council, and shall hold his office for the term of one year and until his successor is appointed and has qualified. Said appointment shall be made on the first day of May of each year, or as soon thereafter as may be. He shall perform such duties as are imposed upon him by law and ordinance, and also such further duties as may be given him from time to time by the council or by the Commissioner of Public Affairs.

110. Bond—Oath.] § 2. Before entering upon the duties of his office he shall take the oath prescribed by law for such officials and shall execute and deliver a bond payable to the City of Bloomington in the penal sum of five hundred dollars, with such sureties as the council shall approve, conditioned upon the faithful performance of the duties of his office, and he shall receive such salary or compensation as shall be provided by ordinance.

111. Domestic Animal—Unlawful to Run at Large—Penalty.] § 3.
 It shall be unlawful for any domestic animal of the species of horse, mule, sheep, cattle, swine, goat, goose or chicken to run or go at large, at any time, within the corporate limits of the City of Bloomington, and any person, being the owner, possessor or keeper of any such animal or

animals, who shall knowingly suffer or permit the same to go or run at large in said city in violation of this section shall be subject to a penalty of one dollar for each and every animal so permitted to run or go at large, together with the fees for impounding and the expense of sustenance for such animal or animals when impounded as hereinafter provided.

112. Poundkeeper's Duty.] § 4. It shall be the duty of the Poundkeeper to take up and impound any animal known by him to be running at large within said city contrary to any ordinance of the city.

113. Policemen—Duty.] § 5. It shall be the duty of the Chief of Police, and of every member of the police force, to take up any and every animal known by him to be unlawfully at large within the city contrary to any ordinance, and to confine the same in the city pound.

114. Who May Impound.] § 6. Any person inconvenienced or injured, or who may be in danger of being injured, either in person or property, by reason of the unlawful running at large in the city of any animal contrary to any ordinance, may take and drive such animal to the city pound, and it shall be the duty of the Poundkeeper to receive and impound the same.

115. Sustenance for Animal—How Provided.] § 7. The Poundkeeper under the direction and control of the Chief of Police shall provide suitable and necessary food and drink for all such animals as may be taken up and impounded, during the time they may be so impounded.

116. Fees for Impounding.] § 8. There shall be charged for each animal impounded, an impounding fee of fifty cents and also fifty cents for each day or part of a day for providing sustenance for each animal impounded.

117. Redemption of Animal.] § 9. At any time before the sale of any animal or animals impounded, the owner or owners thereof may redeem the same by paying to the poundkeeper the penalty of one dollar together with the impounding fee and costs of sustenance as prescribed in the last preceding section. In case proceedings shall have been instituted before a judicial officer, the costs of such proceedings, and the amount of the judgment, if judgment shall have been recovered, together with subsequently accrued costs of sustenance, shall be the redemption money to be paid.

118. Proceeding as to Impounded Animal.] § 10. When any animal or animals shall be impounded as aforesaid, it shall be the duty of the keeper of the pound forthwith to make complaint before the Police Magistrate, or some justice of the peace of the said city, against the owner or owners of such animals, if known, and thereupon a warrant shall be issued, and upon the return thereof executed, or the defendant having appeared, it shall be the duty of the justice or Police Magistrate

to inquire whether the defendant has been guilty of a violation of the ordinances; and, if the defendant be found guilty, judgment shall be rendered against him for the penalty, impounding fee and cost of sustenance herein prescribed, and costs of suit, and an order shall be entered that the animal or animals shall be sold to satisfy said judgment in case the same shall not be paid forthwith. Such order shall describe the animal or animals, and state the time and place of impounding.

119. Proceeding — Unknown Owner — Notice.] § 11. When the owner of any animal impounded shall be unknown it shall be the duty of the Poundkeeper, when the same shall be impounded, to make complaint, as provided in the last section, against the unknown owner or owners of such animal, describing the same, and thereupon the officer before whom such complaint shall be made, shall issue a notice in substance as follows, to-wit:

WHEREAS, complaint has this day been made before me, that the owner or owners of the described animals, to-wit: _____ impounded at _____ on the _____ day of _____, A. D. _____, has permitted the same to run at large, contrary to the provisions of the ordinances of the City of Bloomington. Now, therefore, notice is hereby given that a trial will be had upon the said complaint at my office in the City of Bloomington, on the _____ day of _____, A. D. _____, at the hour of _____ m., when and where the unknown owner or owners may appear and defend if he, she or they see fit to do so.

Witness my hand and official seal, this _____ day of _____, A. D. _____.

(L. S.)

_____,
J. P. or P. M.

The day named in said notice for trial shall not be less than five, nor more than ten days from the date of issuing the same, and it shall be the duty of the Poundkeeper, forthwith, to post three copies of said notice, one at the pound, one at the office of the justice or Police Magistrate issuing the same, and one at the city hall in said city, and to return the said notice with the time and manner of said posting.

120. Justice's Docket—Entry.] § 12. The justice or Police Magistrate issuing said notice shall enter the cause upon his docket as follows, to-wit:

The City of Bloomington against the unknown owner, or owners of (here specify the animals).

And upon the return of the notice prescribed in the last section like proceedings shall be had as in the case of personal service or appearance.

121. Trial by Jury.] § 13. In all trials for violations hereof, the accused shall have the right of trial by jury, and in proceedings against unknown owner or owners the trial must be by jury.

122. Execution on Judgment—Form of.] § 14. Upon the rendition of judgment, the justice of the peace or Police Magistrate rendering the same shall issue to the keeper of the pound an execution, which shall be in the following form, as nearly as may be:

The People of the State of Illinois,

To _____ Poundkeeper:

We command you, that of the following described goods and chattels, to-wit: _____ the property of _____, you make the sum of _____ dollars and _____ cents costs, which the City of Bloomington recently recovered before me against the said _____, and hereof make due return.

Given under my hand and seal, this _____ day of _____, A. D. _____.

(L. S.) _____,

J. P. or P. M.

123. Sale Notice—Form of—Sale—Return of Execution.] § 15. Upon the receipt of such order the Poundkeeper shall immediately post three notices, in like places as provided above for notice of trial, in substance as follows:

Taken up and impounded in the city pound of the City of Bloomington, at _____ the following described animals: _____, which unless redeemed, will be sold at public auction, for cash, to the highest bidder, at said pound, at the hour of _____ o'clock in the forenoon, on the _____ day of _____, _____.

_____, Poundkeeper.

The day of the sale mentioned in said notice shall be the third day after posting the same, exclusive of Sundays, holidays and election days, and if said animal or animals, are not redeemed the Poundkeeper shall sell the same in accordance with said notice.

It shall be the duty of the Poundkeeper to return the said execution within twenty days from its date to the officer issuing the same with endorsement showing when and how the same was executed.

124. Adjourning Sale—Sale Without Notice—Penalty.] § 16. Said Poundkeeper may, for want of bidders or other sufficient cause, adjourn any such sale from day to day until the same shall be completed. If he shall sell any animal without giving the notice above prescribed he shall incur a penalty of not less than ten dollars nor more than one hundred dollars for each and every offense.

125. Purchase Prohibited.] § 17. No person shall purchase or be interested, directly or indirectly, in the purchase of any animal taken up, impounded or sold by him under the provisions of this article, under a penalty of not less than twenty-five dollars nor more than one hundred

dollars for each animal, and, if the Poundkeeper, the forfeiture of his office.

126. Sale—Proceeds of.] § 18. When the proceeds of the sale of any animal or animals shall exceed the amount of judgment and costs and the expense of sustenance which shall have accrued subsequently to the rendition of the judgment, such excess shall be paid to the Commissioner of Accounts and Finances, and the owner or owners of such animal or animals shall be entitled to said excess upon presenting to the said commissioner satisfactory evidence of right thereto.

127. Breaking Pound.] § 19. If any person shall break open, or in any manner, directly or indirectly, aid or assist in, or counsel or advise, the breaking open of the city pound, he shall forfeit and pay a penalty of twenty dollars.

128. Obstructing Taking of Animal—Penalty.] § 20. No person shall hinder, delay or obstruct any person engaged in taking to the city pound any animal or animals likely to be impounded, under a penalty of not less than five dollars nor more than ten dollars for each animal so being taken.

129. Unlawful Taking Up to Impound—Penalty.] § 21. Any person who shall take or drive any such animal from any inclosed lot or tract of ground, or from any stable or other building, or from outside the pound limits into the limits of the city, with the intent that such animal may be impounded, shall be liable to a fine of not less than five dollars nor more than twenty dollars for every animal so driven or taken from the place or places aforesaid.

130. Books of Account—Yearly Audit.] § 22. It shall be the duty of the Poundkeeper to keep such books and in such manner as the Commissioner of Accounts and Finances shall direct, which shall show all the receipts and expenditures of and for the city pound; and the Commissioner of Accounts and Finances shall at least once a year, audit and adjust the accounts of said Poundkeeper.

131. Monthly Report—Fees to be Paid Over.] § 23. The Poundkeeper of said city shall at the end of each month pay to the Commissioner of Accounts of Finances all moneys received by him over and above the necessary expenditures for the maintenance of the pound during the month, and shall at the end of each month render to the Commissioner of Accounts and Finances a full statement, under oath, of all animals received into the pound during such month, describing the same, with the names of owners, if known, the dates when received respectively, of the animals redeemed and the date of redemption, of those sold, and the time of sale, and of all moneys received by him during said month for the redemption, or upon the sale of animals, or otherwise, as Poundkeeper, and of all moneys expended by him in the maintenance of the pound, and shall attach to said statement receipts for all such moneys.

The Poundkeeper shall also keep a record in which he shall enter from time to time as they occur all matters required to be shown in such statements, and in which he shall cause to be written the receipts of owners of animals redeemed.

132. Compensation.] § 24. The said Poundkeeper shall receive as his compensation the fees which he shall collect as provided herein for his work, and he shall accept no other compensation or perquisite: *Provided*, that in case any member of the police force shall be appointed as such Poundkeeper this section shall not be so construed as to affect his compensation or pay as such member of the police force in addition to the fees as Poundkeeper herein provided for.

ARTICLE XIV.

LIBRARY.

Section.	Section.
133. Public Library Established— Name.	139. Organization—Powers— Funds.
134. Supervision and Control.	140. Annual Report and Estimate.
135. Board of Directors Created— Appointment.	141. Injuring Book—Penalty.
136. Terms of—Removal.	142. Injury to Furniture, etc.— Penalty.
137. Vacancies—How Filled— Compensation.	143. Failure to Return Book— Penalty.
138. Oath.	

133. Public Library Established — Name.] § 1. There hereby is established a free Public Library and Reading Room for the use and benefit of the inhabitants of the City of Bloomington, which Library and Reading Room shall be known as “The Withers Public Library.”

134. Supervision and Control.] § 2. The said Public Library and Reading Room, and the Board of Directors thereof, shall be under the supervision and control of the Commissioner of Public Affairs, and are hereby assigned to the Department of Public Affairs.

135. Board of Directors Created—Appointment.] § 3. There hereby is created a Board of Library Directors consisting of nine members. The said directors shall be appointed by the Mayor, with the approval of the council, three of said directors to be so appointed before the first day of July of each year to take the place of the retiring directors.

136. Terms of—Removal.] § 4. The terms of three of said directors shall commence each year. Said directors respectively shall hold office for three years from the first day of July following their appointment, and until their successors are appointed and have qualified. The

Mayor, by and with the consent of the council, may remove any director for misconduct or neglect of duty.

137. Vacancies—How Filled — Compensation.] § 5. Vacancies in the Board of Directors occasioned by removals, resignation or otherwise shall be reported to the council and be filled in like manner as original appointments. No director shall receive any compensation as such.

138. Oath.] § 6. The directors shall, before entering upon the duties of their office, severally take and subscribe the oath prescribed by law for city officers.

139. Organization—Powers—Funds.] § 7. Said directors shall immediately after appointment meet and organize by the election of one of their number president, and by the election of such other officers as they may deem necessary. They shall make and adopt such by-laws, rules and regulations for their own guidance and for the government of the library and reading-room as may be expedient, not inconsistent with the laws of the State of Illinois or of the ordinances of the City of Bloomington.

They shall have the exclusive control of expenditure of all moneys collected to the credit of the library fund, and of the construction of any library building and of the supervision, care and custody of the grounds, rooms or buildings constructed, leased, or set apart for that purpose: *Provided*, that all moneys received for such library shall be deposited in the treasury of said city to the credit of the library fund, and shall be kept separate and apart from other moneys of such city, and drawn upon by the proper officers of said city only upon properly authenticated vouchers of said board, approved by the Commissioner of Public Affairs.

Said Board shall have the power to purchase or lease grounds, to occupy, lease or erect an appropriate building or buildings for the use of said library; shall have power to appoint a suitable librarian and necessary assistants, and fix their compensation, and shall also have power to remove such appointees; and shall, in general, carry out the spirit and intent of this ordinance in establishing and maintaining a public library and reading-room, which shall be forever free to the use of the inhabitants of said city, always subject to such reasonable rules and regulations as the Library Board may adopt in order to render the use of said library and reading-room of the greatest benefit to the greatest number; and said board may exclude from the use of said library and reading-room any and all persons who shall wilfully violate such rules.

Said board may extend the privileges and use of said library and reading-room to persons residing outside of such city in this State upon such terms and conditions as said board may from time to time by its regulations prescribe.

140. Annual Report and Estimate.] § 8. The said Board of Directors shall make on or before the second Monday of June an annual report to the city council, stating the conditions of their trust on the

first day of June of that year, the various sums of moneys received from the library fund and from other sources, and how such moneys have been expended, and for what purposes; the number of books and periodicals on hand, the number added by purchase, gift, or otherwise, during the year; the number lost or missing; the number of visitors attending; the number of books loaned out, and the general character and kind of such books, with such other statistics, information and suggestions as they may deem of general interest.

All such portions of said report as relate to the receipt and expenditure of money, as well as the number of books on hand, books lost or missing, and books purchased, shall be verified by an affidavit, and further, said board shall in said report as aforesaid estimate the approximate expenditures of said board for the next succeeding year.

In the performance of their duties as such directors they shall be governed by the laws of the State of Illinois as they now are in effect, or may be hereafter changed, and in accordance with the ordinances or resolutions of the council of the City of Bloomington as are now in effect or may be hereafter enacted, and all proceedings of said board shall be under the supervision and control of the Commissioner of Public Affairs.

141. Injuring Book—Penalty.] § 9. Any person who shall wilfully or maliciously cut, write upon, injure, deface, tear or destroy any book, newspaper, plate, picture, engraving or statue belonging to the Withers Public Library, shall be liable to a fine of not less than five dollars nor more than fifty dollars for every such offense.

142. Injury to Furniture, etc.—Penalty.] § 10. Any person who shall wilfully or maliciously commit any injury upon the Withers Public Library, or upon the grounds, buildings, furniture, fixtures or other property thereof, shall be liable to a fine of not less than ten dollars nor more than one hundred dollars for every such offense.

143. Failure to Return Book—Penalty.] § 11. Any person who shall fail to return any book belonging to the Withers Public Library, according to the requirements of the by-laws duly made and adopted by the directors of such library for the government thereof, shall be liable to a fine of not less than five dollars nor more than ten dollars for every such offense.

CHAPTER IV.

DEPARTMENT OF ACCOUNTS AND FINANCES

Article.

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| 1. Commissioner of Accounts and Finances. | 4. City Treasurer. |
| 2. City Collector. | 5. Clerk and Assistant Clerk. |
| 3. City Clerk. | 6. Meter Repairer. |

ARTICLE I.

COMMISSIONER OF ACCOUNTS AND FINANCES.

Section.

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| 144. Commissioner of Accounts and Finances — General Powers—Subordinates. | 157. Warrant for Bills, etc. |
| 145. Bond. | 158. Register of Warrants—Receipts. |
| 146. Supervision Over Books and Accounts. | 159. Monthly Reports by Officers Handling Money — Proceedings in case of Default. |
| 147. Audit of Accounts and Reports. | 160. Account of Revenue, Debts, Bonds, etc. |
| 148. Fiscal Year. | 161. Appropriation—No Warrant Against When Exhausted. |
| 149. Duties in Absence of Mayor. | 162. Unexpended Balances to General Fund. |
| 150. Public Service Utilities. | 163. Bond Register—Report. |
| 151. Shall be Purchasing Agent—Custody of Deeds, etc. | 164. Water Rents—Record—Collection. |
| 152. Printing and Supplies—Requisition for. | 165. Improvements — Record of —Validity of Contract for. |
| 153. Purchases—Must be Authorized When. | 166. Attend Tax Sales. |
| 154. Deposits—Credit to Treasurer. | 167. Licenses — Countersignature —Record of. |
| 155. Books—Contents of — Open to Examination. | 168. Monthly Report to Council. |
| 156. Bills, Claims, etc.—Where Filed—Report Upon—Record of—Oath. | 169. Annual Report—Publication. |
| | 170. Annual Estimate. |

144. Commissioner of Accounts and Finances—General Powers—Subordinates.] § 1. The Commissioner of Accounts and Finances shall have general supervision and control over all matters relating to the finances or revenues of the city, and he shall have supervision over the activities of all officers, boards and departments in so far as said activities directly affect the city's finances or revenues.

The City Clerk, City Treasurer and their respective offices or departments and all employees therein, one clerk and one assistant clerk, all bookkeepers and accountants, and the Meter Repairer hereby are apportioned and assigned to the Department of Accounts and Finances, and shall be under the direction and supervision of the commissioner thereof, together with such other employees as are necessary in said department.

145. Bond.] § 2. Before entering upon the duties of his office, he shall execute a bond payable to the City of Bloomington in the penal sum of twenty-five thousand dollars, with sureties to be approved by the Judge of the County Court of McLean County, Illinois, conditioned upon the faithful performance of the duties of his office. The said bond shall be filed in the office of the County Clerk of McLean County, Illinois.

146. Supervision Over Books and Accounts.] § 3. He shall prescribe the manner in which books of the several departments and sub-departments, in so far as they concern the receipt and disbursement of the city's funds, are kept, in order to establish uniformity therein, and he shall see that these accounts are regularly and correctly kept.

147. Audit of Accounts and Reports.] § 4. He shall audit, or cause to be audited, at frequent intervals the accounts of every officer or employee who does or may receive or disburse money, and shall examine and audit the reports of the City Treasurer, and annual reports of all other officers of the City of Bloomington handling city funds.

148. Fiscal Year.] § 5. The fiscal year of the City of Bloomington shall commence on the first day of May in each year.

149. Duties in Absence of Mayor.] § 6. The Commissioner of Accounts and Finances shall be vice-president of the council, and in the absence of the Mayor, or in case of his inability to act, shall preside over the council and shall perform all the usual duties of the Mayor and the head of the Department of Public Affairs.

150. Public Service Utilities.] § 7. The Commissioner of Accounts and Finances shall procure from all persons or corporations operating Public Service Utilities in the city, and cause to be placed on file, such reports as they by law or ordinance or otherwise are required to make to the city or any of its officers, and he shall procure copies of such reports as are made to the State or to any public office or department, and shall cause the same to be placed on file, and shall collect, or cause to be collected all license fees, franchise taxes, rentals or other moneys which may be due or become due to the city. He shall report to the council any failures to make reports or pay money due to the city, with such recommendations in relation thereto as he may deem proper. He shall, whenever the city has authority so to do, cause to be examined the accounts and records of any person or corporation operating a public service utility in the city and shall report to the council any refusal to permit such examination.

151. Shall be Purchasing Agent—Custody of Deeds, etc.] § 8. The Commissioner of Accounts and Finances shall be the fiscal agent of the city, and he shall be the purchasing agent, and as such shall have charge and custody of all deeds, bonds, contracts, mortgages, notes, warrants, vouchers, books and papers belonging to the city, except such as by law or ordinance are directed to be deposited elsewhere.

152. Printing and Supplies—Requisition for.] § 9. The Commissioner of Accounts and Finances shall have charge of and supervision over all printing by or for the city, unless otherwise provided by law. He shall have charge of and supervision over the purchase, care and distribution of all supplies for all departments, unless otherwise provided by law or ordinance, and all articles or things shall be ordered or purchased only on a requisition on the Commissioner of Accounts and Finances signed by the commissioner for whose department the said article is to be purchased.

153. Purchases—Must be Authorized When.] § 10. All purchases of goods of the value of one hundred dollars or more shall be approved by a majority of the commissioners before such purchase is made or any contract entered into therefor.

154. Deposits—Credit to Treasurer.] § 11. He shall deposit from day to day in the usual course of business in the bank or place designated by the council as the depository for city moneys, all revenues and moneys belonging to the corporation collected by or coming to him in his official capacity, and on or before the first day of each month he shall place the moneys so deposited to the credit of the City Treasurer in said bank.

155. Books—Contents of—Open to Examination.] § 12. He shall open and keep in a neat and methodical manner a complete set of books, in which, among other things, shall be set forth the appropriations of the fiscal year for each distinct object and branch of expenditures; and also the receipts from each and every source of revenue, so far as he can ascertain the same. Said books, and all contracts, bonds, debts, warrants, vouchers, receipts and other papers kept in his office, shall be subject to the examination of the Mayor and commissioners at all reasonable hours.

156. Bills, Claims, etc.—Where Filed—Report Upon—Record of—Oath.] § 13. All bills, claims, demands and accounts against the City of Bloomington shall be filed in the office of the said Commissioner of Accounts and Finances. He shall examine them in detail and report to the council upon all bills, claims, demands and accounts at least once each week, and all pay-rolls, before they are acted upon or allowed, unless otherwise provided by law. He shall register all said bills, claims, demands, accounts, etc., in a book suitable for the purpose, and shall therein keep a record of the disposition of said bills, claims, demands, accounts, etc.

He may require a statement in writing, under oath, as to any fact, matter or thing concerning the justness of any such bills, claims, accounts and demands presented against the city.

157. Warrant for Bills, etc.] § 14. He shall draw his warrant in due form upon the City Treasurer for all such bills, claims, accounts, demands, pay-rolls, etc., allowed by the council.

158. Register of Warrants—Receipts.] § 15. He shall keep in a suitable book an accurate list of all warrants drawn upon the City Treasurer. Said books shall show the date, number and amount of each, and the name of the person in whose favor drawn, and said commissioner shall take the receipt of every person for every warrant upon delivery thereof.

159. Monthly Reports by Officers Handling Money—Proceedings in Case of Default.] § 16. He shall require all officers charged in any manner with the receipt, collection or disbursement of the city revenues to submit monthly reports in writing, showing in detail all such receipts, collections and disbursements, and to file the same in his office; and if any such officer shall neglect to make such report or to adjust his accounts whenever so required by the said commissioner, and to pay over to the proper officer any money in his possession belonging to the city, it shall be the duty of the said commissioner to cause a written notice to be served on such officer and his sureties demanding a settlement of his accounts with the city forthwith; and in case of the neglect or refusal of such officer to make such settlement and pay over such moneys for a period of ten days after the service of said notice, the said commissioner shall report such officer to the Mayor for his action in the matter; and proceedings shall be instituted at once against such delinquent officer and his sureties for the recovery of any money due said city.

160. Account of Revenue, Debts, Bonds, etc.] § 17. Said commissioner shall keep a detailed account of the city's revenue, and of each separate fund, crediting the same with all its receipts or appropriations and charging it with all warrants drawn thereon; and he shall charge each warrant to the fund or appropriation against which it is drawn.

He shall also keep an accurate account of all debts due from or owing to the city and shall keep a book in which he shall enter a correct list of all bonds, notes or other obligations given by or payable to said city, with the date thereof, the person to whom or by whom payable, and such other particulars as may be necessary to the full understanding thereof.

161. Appropriation—No Warrant Against When Exhausted.] § 18. Whenever any fund or appropriation is exhausted, the said commissioner shall without delay notify the city council thereof, and he shall not counter-sign any warrant against said fund or appropriation until the same shall be renewed.

162. Unexpended Balances to General Fund.] § 19. It shall be the duty of said commissioner to transfer and place to the credit of the general fund all unexpended balances of appropriations of former years remaining at the time that the annual appropriation ordinance of each year goes into effect: *Provided*, that no such transfer shall be made or disposition ordered

of any trust fund, or any fund arising from special assessment or special taxation; nor in cases where contracts have been made or liabilities incurred on account of any such appropriation and remain uncompleted or unpaid at the time the appropriation ordinance goes into effect; nor of any fund created for any purpose or the payment of any liability exclusively provided for by taxation.

163. Bond Register—Report.] § 20. Said commissioner shall keep in his office in a book expressly for that purpose, to be known as the bond register, a full and correct list of all outstanding bonds of said city, showing the number, amount, time of maturity, rate of interest and place of payment of each bond; and for what and to whom the same was issued; and when any city bonds are surrendered, cancelled or paid, said register shall show the fact, and in his annual report to the city council the said commissioner shall describe particularly the bonds sold, exchanged or redeemed during the fiscal year and give an itemized statement of the expenses thereof.

164. Water Rents—Record—Collection.] § 21. He shall keep a complete record of all takers and users of city water, causing a separate account to be made of each specific piece of property where city water is used, showing the rate that each is paying for the water, the date when the water was turned on, the amount used each quarter, and such further data in connection therewith and such other records as shall be necessary to preserve a complete record of all receipts from the sale of city water.

It shall be his duty to collect all water rents due the city, and said water rents shall be payable at his office. He shall keep a complete record of all said payments.

165. Improvements—Record of—Validity of Contract for.] § 22. Said commissioner shall keep in his office a correct list of all local or public improvements ordered by the city council and let under contract by the city; and all contracts and specifications therefor, made by authority of the city council, or by any officer or corporation pursuant thereto in relation to such improvements, shall be filed in the said commissioner's office, and no such contract shall be valid unless countersigned by said commissioner.

166. Attend Tax Sales.] § 23. The said commissioner shall be authorized, and it is hereby made his duty, to attend all sales of real estate in said city made under proceedings in the County Court of McLean County to enforce the collection of any special tax or special assessment levied and assessed by ordinance of the city council for any public improvement, and to bid at such sales on behalf of the city.

167. Licenses—Countersignature—Record of.] § 24. All licenses when issued shall be presented to said commissioner who shall countersign the same and shall enter without fee in a book to be kept by him for that purpose the name of each person licensed, for what purpose licensed, the date

and number of the license, the amount paid for the same and the time of the expiration thereof.

168. Monthly Report to Council.] § 25. The Commissioner of Accounts and Finances shall, on or before the first Friday in each and every month make out and submit to the city council a statement in writing, of all the moneys received and warrants countersigned by him during the preceding month, showing therein from what sources and on what account said moneys were received and for what purpose and on what account said warrants were drawn or paid.

169. Annual Report—Publication.] § 26. Said commissioner within twenty days after the first day of May in each year shall make out an annual report for publication, giving a detailed statement of all the receipts and revenues and expenditures of said city during the preceding year. Said report shall also detail the condition of all unexpended appropriations, the balance of money then remaining in the treasury, and all other matters necessary to exhibit the true financial condition of the city, which report, when examined and approved by the council, shall be published by said commissioner without delay.

170. Annual Estimate.] § 27. In addition to his other duties the said commissioner on or before the fifteenth day of May in each year, and before the annual appropriations are made by the city council, shall submit to the said council a statement of his estimates, as nearly as may be, of the moneys necessary to defray the expenses of the corporation during the current fiscal year. He shall in said statement classify the different objects and branches of expenditure, giving the amount required for each, as nearly as may be, and for the purpose of making such statement, he is authorized to require of all city officers statements of the condition and expenses of their respective offices or departments, with any proposed improvements and probable expenses thereof, and of all contracts made and uncompleted, and the amount of any and all unexpended appropriations of the preceding fiscal year.

He shall also in such statement show the aggregate income of the preceding fiscal year from all sources, the amount of liabilities outstanding upon which interest is to be paid, the bonds and debts payable during the year; when due and when payable; and he shall give therein such other information to the city council as he may deem necessary to the end that said council may fully understand the money exigencies and demands upon the city for the current year.

ARTICLE II.

CITY COLLECTOR.

Section.	Section.
171. City Collector—Office Created—Ex Officio Collector—Powers—Bond.	174. Weekly Payment to City Treasurer.
172. Duties.	175. Books of Account—Warrants.
173. Report of Delinquent List to County Collector.	176. Books, etc., Open to Examination.
	177. Annual Statement—Publication.

171. **City Collector—Office Created—Ex Officio Collector—Powers—Bond.]** § 1. There hereby is created the office of City Collector, which office, until otherwise provided by ordinance, shall be filled by the Commissioner of Accounts and Finances, who hereby is vested with full power to carry into force all provisions of the laws and ordinances relating to the office of City Collector. The said Commissioner of Accounts and Finances shall not be required to give any additional bond on account of the fact that he acts as such *ex officio* collector.

172. **Duties.]** § 2. It shall be the duty of said commissioner, whenever any warrant for the collection of any special tax or special assessment shall be certified to him by the clerks of the county or Circuit Court of McLean County, immediately to give notice in the official newspaper of the judgments of confirmation of said special assessment or special tax, of the general character of the proposed improvement and its location; that the warrant for the collection of the same is in his hands. All persons shall be notified to pay the same. And when any such assessment is payable in installments, such notice shall contain the amount of each installment, the rate of interest such installment will bear and the date when payable.

As far as practicable he shall call upon all persons resident in the neighborhood whose names are in the assessment roll, or the occupants of the property assessed, or by written notices left at their usual place of abode, inform them of said special assessment and request payment. It shall be the duty of said commissioner to write the word "paid" opposite each tract or lot on which the assessment is paid, together with the name and address of the person paying the same, also the date of payment, and he shall satisfy the respective judgment of the same on the judgment records of the McLean County Circuit or County Courts.

Such commissioner shall also have charge of the collection of licences of all kinds due or owing to the city, and shall see that they are all promptly paid when due. He shall perform such other and further duties as such *ex officio* collector as may from time to time be prescribed by law or by ordinance of said city.

173. Report of Delinquent List to County Collector.] § 3. It shall be the duty of said commissioner, on or before the first day of April in each year, to make a report in writing, to the general officer of the county designated by the general revenue laws of this state to apply for judgment and sell land for taxes, of all the lands, town lots, tracts or parcels of real estate on which he shall be unable to collect special assessments, or installments thereof, matured and payable, or interest thereon, or interest due on installments not yet matured, on all warrants in his hands, with the amount of such delinquent special assessments or installments and interest together with his warrants; which report shall be accompanied with the oath of the said commissioner that the list is a correct return and report of the land, town lots and real property on which the special assessments or special taxes levied by the City of Bloomington, or installments thereof or interest thereon, remain due and unpaid; that he is unable to collect the same or any part thereof, and that all due notices required by law have been duly given.

174. Weekly Payment to City Treasurer.] § 4. At least once every week he shall pay over to the City Treasurer, all moneys collected by him as such *ex officio* collector, from any source whatever, taking such Treasurer's receipt therefor, which receipt shall be filed with the City Clerk, who shall furnish said commissioner a copy of such receipt so filed.

175. Books of Account—Warrants.] § 5. It shall be the duty of the said commissioner to keep books and accounts which shall show all receipts and moneys received by him as such *ex officio* collector, and other matters pertaining to this office; such books and accounts to be kept in a clear, intelligible and methodical manner. He shall preserve all warrants which are returned into his hands.

176. Books, etc., Open to Examination.] § 6. All warrants, books, and all papers pertaining to his office as such *ex officio* collector, shall at all times be open to the inspection of and subject to the examination of the Mayor and any commissioner.

177. Annual Statement—Publication.] § 7. He shall annually between the first and tenth of April file with the City Clerk a statement of all moneys collected by him during the year as such *ex officio* collector, the particular warrant, special assessment or account on which collected, the balance of moneys collected on all warrants in his hands, and the balance remaining uncollected at the time of the return on all warrants which he shall have returned during the preceding fiscal year to the City Clerk. The City Clerk shall immediately cause this statement to be published in a newspaper printed in the City of Bloomington.

ARTICLE III.

CITY CLERK.

Section.	Section.
178. City Clerk—Office Created—Election.	184. Attend Council—Clerk thereof—Record.
179. Term—Under Control of Commissioner of Accounts and Finances.	185. Record of Ordinances.
180. Bond—Oath.	186. Notices—Clerk to Issue.
181. Fees Property of City.	187. Licenses—Clerk to Attest.
182. Shall be Town Clerk.	188. Shall Deliver Ordinances, etc., Upon Request.
183. Corporate Seal.	189. Daily Settlement.

178. City Clerk—Office Created—Election.] § 1. There is hereby created the office of City Clerk, who shall be elected annually by a majority vote of the City Council on the first day of May in each year, or as soon thereafter as is practicable.

179. Term—Under Control of Commissioner of Accounts and Finances.] § 2. He shall hold his office for the term of one year, and until his successor is elected and has qualified. His duties shall be such as are prescribed by law or ordinance, and in addition thereto such other duties as may be imposed upon him from time to time by the council or the Commissioner of Accounts and Finances. He shall be under the direction and supervision of said Commissioner of Accounts and Finances.

180. Bond—Oath.] § 3. Before entering upon the duties of his office he shall take the oath prescribed for all city officers, and execute and deliver a bond payable to the City of Bloomington in the penal sum of five thousand dollars, with sureties to be approved by the council, conditioned upon the faithful performance of the duties of his office, which bond shall be filed with the City Treasurer.

181. Fees Property of City.] § 4. He shall receive such salary or compensation as may be provided by ordinance. All fees payable by law to the City Clerk shall be the property of the City of Bloomington.

182. Shall be Town Clerk.] § 5. In addition to the duties imposed upon him by law and ordinance as City Clerk, the said City Clerk shall, *ex officio*, be Town Clerk of the Town of the City of Bloomington, and shall perform all the duties, and exercise all the powers of such Town Clerk, and no Town Clerk shall be elected for the Town of the City of Bloomington.

183. Corporate Seal.] § 6. The City Clerk shall keep the Corporate Seal, to be provided under the direction of the city council, and with the Corporate Seal shall attest all instruments and documents required to be so attested.

184. Attend Council—Clerk thereof—Record.] § 7. He shall attend all meetings of the council, and shall be clerk of said council, and shall keep a full record of its proceedings in the journal.

185. Record of Ordinances.] § 8. The clerk shall record, in a book to be kept for that purpose, all ordinances passed by the council, and at the foot of the record of each ordinance so recorded shall make a memorandum of the date of the presentment, passage, approval, recording, publication or posting of such ordinance.

186. Notices—Clerk to Issue.] § 9. He shall issue such notices as may be directed by the council, and notify all persons whose attendance may be required before the council or any committee thereof, and also shall issue notices of special meetings.

187. Licenses—Clerk to Attest.] § 10. He shall attest with the Corporate Seal all licenses granted by the Mayor or the council under the ordinances of the city.

188. Shall Deliver Ordinances, etc., Upon Request.] § 11. He shall, without delay, deliver to the Mayor or any commissioner all resolutions and communications referring to such officers, and also all ordinances and resolutions under his charge which may be required to be approved or otherwise acted upon by the Mayor, or which shall be requested by the Mayor or any of the commissioners, together with all papers on which the same were founded.

189. Daily Settlement.] § 12. He shall pay over daily to the Commissioner of Accounts and Finances all moneys received by him for the city by or on any account whatever.

ARTICLE IV.

CITY TREASURER.

Section.	Section.
190. City Treasurer—Office Created—Election.	198. Receipts.
191. Term—Under Control of Commissioner of Accounts and Finances.	199. Keep Corporate Money Separate—Private Use—Penalty.
192. Bond—Oath.	200. Warrants—How Signed—Contents.
193. Shall be Town Collector.	201. Daily Deposits.
194. Shall Receive Corporate Money—Accounts.	202. City Depository—Selection—Interest—Collection of—Bond.
195. Monthly Account.	203. Annual Account—Publication.
196. Register and Cancel Warrants.	
197. Special Assessment Funds Kept Separate.	

190. City Treasurer—Office Created—Election.] § 1. There is hereby created the office of City Treasurer, who shall be elected annually by a majority vote of the council on the first day of May in each year, or as soon thereafter as is practicable.

191. Term—Under Control of Commissioner of Accounts and Finances.] § 2. He shall hold his office for the term of one year and until his successor is elected and has qualified. His duties shall be such as are prescribed by law or ordinance, and in addition thereto such other duties as may be imposed upon him from time to time by the council or the Commissioner of Accounts and Finances. He shall be under the direction and supervision of the said Commissioner of Accounts and Finances.

192. Bond—Oath.] § 3. Before entering upon the duties of his office he shall take the oath prescribed for all city officers, and shall execute and deliver a bond payable to the City of Bloomington in the penal sum of three hundred thousand dollars, with sureties to be approved by the council, conditioned upon the faithful performance of the duties of his office. He shall receive such salary or compensation as may be provided by ordinance.

193. Shall be Town Collector.] § 4. In addition to the duties imposed upon him by law or ordinance as such City Treasurer, the said City Treasurer shall, *ex-officio*, be Town Collector of the Town of the City of Bloomington, and shall perform all the duties and exercise all the powers of such Town Collector, and no Town Collector shall be elected for the Town of the City of Bloomington.

194. Shall Receive Corporate Money—Accounts.] § 5. Said Treasurer shall receive all moneys belonging to the corporation and shall keep a separate account of each fund or appropriation, and the debits and credits belonging thereto.

195. Monthly Account.] § 6. He shall render at the end of each month, and oftener if required, an account to the Commissioner of Accounts and Finances, showing the state of the treasury at the date of such account, and the balance of the money in the treasury. He shall also accompany such accounts with a statement of all moneys received in the treasury and on what account, together with all warrants redeemed and paid by him, which said warrants, with any and all vouchers held by him, shall be delivered to the Clerk, and filed with his said account in the Clerk's office, upon every day of such settlement. He shall return all warrants paid by him stamped or marked "Paid."

196. Register and Cancel Warrants.] § 7. Said treasurer shall keep an accurate register of all warrants redeemed and paid by him, showing the number, date and amount of each, the fund from which paid, and the name of the person to whom and where paid; and he shall cancel all warrants as soon as redeemed by him.

197. Special Assessment Funds Kept Separate.] § 8. All moneys received on any special assessment shall be held by said treasurer as a special fund, to be applied to the payment of the improvement for which the assessment was made, and said money shall be used for no other purpose whatever, unless to reimburse the city for money expended for such improvement out of its general fund.

198. Receipts.] § 9. He shall give every person paying money into the treasury a receipt therefor, specifying the date of payment, and upon what account paid, and he shall also file copies of such receipts with the clerk at the date of his monthly reports.

199. Keep Corporate Money Separate—Private Use—Penalty.] § 10. The treasurer shall keep all moneys belonging to the corporation in his hands separate and distinct from his own moneys and he hereby expressly is prohibited from using, either directly or indirectly, the corporation money or warrants in his custody and keeping for his own use and benefit, or that of any other person or persons whomsoever. Any violation of this provision shall subject him to immediate removal from his office by the council, who hereby are authorized to declare said office vacant; and in which case a successor shall be elected who shall hold his office for the remainder of the term unexpired of such officer so removed.

200. Warrants—How Signed—Contents.] § 11. All warrants drawn upon the treasurer must be signed by the Mayor and the Commissioner of Accounts and Finances, stating the particular fund to which the same shall be chargeable and the person to whom payable. No money shall be otherwise paid than upon such warrant so drawn, except as otherwise provided by law.

201. Daily Deposits.] § 12. The said treasurer shall make daily deposits of such sums of money as shall be received by him from all sources of revenue whatsoever, to his credit as treasurer of the City of Bloomington in the bank designated as the city depository as hereinafter prescribed.

202. City Depository — Selection — Interest—Collection of—Bond.] § 13. The moneys of the city shall be deposited in a bank located in the City of Bloomington, to be selected by the Mayor, the Commissioner of Accounts and Finances and the Treasurer, or by any two of them.

Any bank so selected, before any such deposit is made therein, shall be required to enter into an obligation with the council to pay into the treasury of the city interest on the monthly balances of such deposits at a rate to be fixed by the Mayor, the Commissioner of Accounts and Finances and the Treasurer, or by any two of them, and which rate may be changed in the same manner, *Provided*, such rate shall not be less than three per centum per annum.

Such bank shall execute a good and sufficient bond, with sureties to be approved by the Mayor, and conditioned that such bank will safely keep and account for and pay over said money.

The said Mayor, Commissioner of Accounts and Finances and the Treasurer, in the selection of any such depository bank, shall take into consideration the reputation and solvency thereof, and the sufficiency of the security offered by such bank.

All interest paid by any such bank upon such balances shall be collected by the Treasurer, and by him shall be reported in his next statement showing such collection and shall be considered and treated as part of the general fund of the city, subject to use for any legitimate municipal purpose.

203. Annual Account—Publication.] § 14. The said Treasurer shall annually, between the first and tenth of May, make out and file with the Clerk a full and detailed account of all his receipts and expenditures, and of all his transactions as such treasurer, during the preceding fiscal year, and shall show in such account the state of the treasury at the close of the fiscal year; which account the Clerk immediately shall cause to be published in a newspaper printed in the City of Bloomington.

ARTICLE V.

CLERK AND ASSISTANT CLERK.

Section.

204. Clerk and Assistant Clerk—
Offices Created—Appointment—Term.
205. Bond—Oath.

Section.

206. Under Supervision of Commissioner of Accounts and Finances—Duties.

204. Clerk and Assistant Clerk—Offices Created—Appointment—Term.] § 1. There hereby are created the offices of Clerk and Assistant Clerk of the Department of Accounts and Finances. These officers shall be appointed annually by the Commissioner of Accounts and Finances, with the approval of the council, on the first day of May, or as soon thereafter as may be. They shall each hold office for the period of one year, and until their respective successors have been appointed and have qualified.

205. Bond—Oath.] § 2. Before entering upon the duties of their respective offices, each of said officers shall take the oath prescribed for all city officers, and shall each execute a bond in the penal sum of two thousand dollars, with sureties to be approved by the council, conditioned upon the faithful performance of the duties of their respective offices. Said officers shall receive such salary or compensation as may be provided by ordinance.

206. Under Supervision of Commissioner of Accounts and Finances—Duties.] § 3. They shall be under the supervision and control of the Commissioner of Accounts and Finances, and their duties shall be such as from time to time are prescribed by the Commissioner of Accounts and Finances or by the council.

ARTICLE VI.

METER REPAIRER.

Section.	Section.
207. Meter Repairer—Office Created — Appointment — Term.	210. Defective Meter—Notice.
208. Bond—Oath.	211. Refusal to Repair—Notice—Penalty.
209. Under Supervision of Commissioner of Accounts and Finances.	212. Account—Report.

207. Meter Repairer—Office Created—Appointment—Term.] § 1. There hereby is created the office of Meter Repairer, who shall be appointed annually by the Commissioner of Accounts and Finances, with the approval of the council, on the first day of May, or as soon thereafter as is practicable. He shall hold his office for the term of one year, and until his successor is appointed and has qualified.

208. Bond—Oath.] § 2. Before entering upon the duties of his office he shall take the oath prescribed for all city officers, and shall execute and deliver a bond payable to the City of Bloomington, in the penal sum of one thousand dollars, with sureties to be approved by the council, conditioned upon the faithful performance of the duties of his office. He shall receive such salary or compensation as may be prescribed by ordinance.

209. Under Supervision of Commissioner of Accounts and Finances.] § 3. The said Meter Repairer shall be under the supervision and control of the Commissioner of Accounts and Finances, and his duties shall be such as are provided by ordinance, and in addition thereto such other duties as from time to time may be imposed upon him by the said Commissioner of Accounts and Finances or the council.

210. Defective Meter—Notice.] § 4. Whenever any water meter used in connection with city water is reported out of order or in need of repair, it shall be the duty of the Commissioner of Accounts and Finances to notify in writing the owner, tenant, agent or other person in charge of the premises for which said meter is being used, that said water meter is out of order and in need of repair, which notice shall also state that with and by the consent of said owner, tenant, agent or other

person, the Meter Repairer will take and remove such meter and put the same in first class repair and again install the same, charging such owner, tenant, agent or other person, the actual cost only of the labor and material required for so repairing such meter and reinstalling the same.

211. Refusal to Repair—Notice—Penalty.] § 5. Any owner, tenant, agent or other person in charge of such meter, who, having been notified as above provided, shall refuse to permit such Meter Repairer to take, repair and reinstall said meter, shall be served at once by the Commissioner of Accounts and Finances with notice that unless said meter be repaired and put in first class condition within ten days, the water will be shut off from said premises for which said meter is being used, and will not again be turned on until said meter has been put in good repair, and the charge paid for turning on the same as required by law.

212. Account—Report.] § 6. Such Meter Repairer shall keep a correct itemized account of all moneys received for labor or materials in the course of his employment, and shall report all such receipts to the Commissioner of Accounts and Finances and pay over to said commissioner any such moneys in his hands, under such rules and regulations as the said commissioner may prescribe.

CHAPTER V.

DEPARTMENT OF PUBLIC HEALTH AND SAFETY

ARTICLE

1. Commissioner of Public Health and Safety.
2. Fire Department.
3. Chief Fire Marshal.
4. Assistant Fire Marshal.
5. Firemen.
6. Miscellaneous.
7. Department of Health.
8. Board of Health.
9. Commissioners of Health.
10. Inspector of Health and Food.

ARTICLE

11. Sanitary Inspector.
12. Department of Buildings.
13. Board for Inspection of Buildings.
14. Superintendent of Buildings.
15. Inspector of Plumbing—Plumbing Regulations.
16. Board of Examiners of Plumbers.
17. Sealer of Weights and Measures.

ARTICLE I.

COMMISSIONER OF PUBLIC HEALTH AND SAFETY.

Section.

213. Commissioner of Public Health and Safety—General Powers---Subordinates.

Section.

214. Bond.
215. Annual Estimate.

213. Commissioner of Public Health and Safety—General Powers—Subordinates.] § 1. The Commissioner of Public Health and Safety shall have control over and supervision of the Chief Fire Marshal, the Fire Department and all firemen, officers and employees therein; all fire stations, property and apparatus used in said Fire Department, (except the fire alarm system and all property and apparatus belonging thereto); the Superintendent of Buildings, Inspector of Plumbing, Inspector of Health and Food, Sanitary Inspector, Board of Health, Commissioners of Health, and their respective offices and all property and apparatus used therein; street corner waste paper receptacles, bill boards, the removal of garbage, scavengers, and all matters of sanitation; and these departments and subjects are hereby assigned to the Department of Public Health and Safety.

He shall have charge of all purchases of horses, apparatus and supplies of his said department or the offices or departments assigned thereto, and he shall exercise supervision over the construction and repair of buildings assigned to his department, and may, on application, receive assistance therein from other officers and departments of the city.

214. **Bond.]** § 2. Before entering upon the duties of his office, he shall execute a bond payable to the City of Bloomington in the penal sum of five thousand dollars, with sureties to be approved by the Judge of the County Court of McLean County, Illinois, conditioned upon the faithful performance of the duties of his office. The said bond shall be filed in the office of the County Clerk of McLean County, Illinois.

215. **Annual Estimate.]** § 3. The Commissioner of Public Health and Safety shall prepare and submit to the Commissioner of Accounts and Finances, before the first day of May of each year, an estimate of the whole cost of maintaining his department, including all sub-departments and activities under his control and supervision, during the succeeding fiscal year, which estimate shall be in detail, and shall be laid by the Commissioner of Accounts and Finances before the council at the same time that the annual estimate of the Commissioner of Accounts and Finances is laid before the council.

ARTICLE II.

FIRE DEPARTMENT.

Section.

216. Fire Department Established—Under Control of Commissioner of Public Health and Safety—Subordinates.

216. **Fire Department Established—Under Control of Commissioner of Public Health and Safety—Subordinates.]** § 1. There is hereby established an Executive Department of the municipal government of the City of Bloomington which shall be known as the Fire Department. This department shall be under the supervision and control of the Commissioner of Public Health and Safety, and shall consist of one Chief Fire Marshal, one Assistant Fire Marshal, and such fire companies and other employees as the city council may from time to time provide.

ARTICLE III.

CHIEF FIRE MARSHAL.

Section.

217. Chief Fire Marshal—Office
Created — Appointment—
Other Designation.
218. Term.
219. Shall be Superintendent of
Buildings.
220. Bond—Oath.
221. Powers—Establish Rules.

Section.

222. Custody of Apparatus.
223. Examination of Apparatus—
Report.
224. Shall Keep Apparatus in Re-
pair.
225. Attend Fires.
226. Shall Prefer Charges—May
Suspend Subordinates.

Section.

227. Record of Employees.

228. Record of Fires, etc.

229. May Remove Property at
Fires.

230. May Destroy Buildings.

Section.

231. To Enforce Ordinances—Ex-
amination and Inspection.

232. Shall Wear Uniform.

233. Turn Over Property, etc., to
Successor.

217. Chief Fire Marshal—Office Created—Appointment—Other Designation.] § 1. There hereby is created the office of Chief Fire Marshal of the City of Bloomington, who shall be appointed annually by the Commissioner of Public Health and Safety, with the approval of the council, on the first day of May, or as soon thereafter as may be. He shall be known also as the Chief of the Fire Department.

218. Term.] § 2. He shall hold his office for the term of one year, or until his successor is appointed and has qualified, and he shall receive such salary or compensation as may be provided by ordinance.

219. Shall be Superintendent of Buildings.] § 3. He shall be, *ex officio*, Superintendent of Buildings. He shall perform such duties as are prescribed for him by law or ordinance, and in addition thereto such other duties as from time to time may be imposed upon him by the council or the Commissioner of Public Health and Safety.

220. Bond—Oath.] § 4. Before entering upon the duties of his office he shall take the oath prescribed by law for all city officers, and shall execute and deliver a bond payable to the City of Bloomington, in the penal sum of five thousand dollars, with sureties to be approved by the council, conditioned upon the faithful performance of the duties of his office.

221. Powers—Establish Rules.] § 5. Said marshal shall be the head of the fire department, and shall have full control over the same and over all members thereof while in the line of their duty, subject to the control and supervision of the Commissioner of Public Health and Safety. The said marshal may, with the approval of the Commissioner of Public Health and Safety, prescribe and establish such rules and regulations as he may deem proper for the government of the fire department and the members thereof. He shall furnish each member of said department with a copy of such rules and regulations, and it shall be his duty to see that said rules and regulations are enforced.

222. Custody of Apparatus.] § 6. The said marshal shall have the custody of the engines, hose carts, trucks, ladders, horses, hose house, and all buildings belonging or appertaining to said fire department, and all other property and equipment belonging or appertaining to the fire department, except the fire alarm system, subject to the supervision of the Commissioner of Public Health and Safety.

223. Examination of Apparatus—Report.] § 7. The said marshal shall at least once every month examine into the condition of the fire

engines, hose carts, hooks and ladders, wagons, trucks and all other fire apparatus, and engine houses, and report the same to the Commissioner of Public Health and Safety immediately after said examination, together with any recommendations that he may deem proper to make for the good of the department, which report shall be communicated to the council by said commissioner.

224. Shall Keep Apparatus in Repair.] § 8. He shall keep himself fully informed on the condition and efficiency of all property or apparatus belonging to the department. Whenever any of said apparatus shall require alterations or repairs he shall cause the same to be done under his supervision and direction.

225. Attend Fires.] § 9. He shall attend whenever possible all fires occurring within the city, and take command of the department at such fire, and see that the several members of the fire department faithfully perform their respective duties.

226. Shall Prefer Charges—May Suspend Subordinates.] § 10. He may, either upon his own knowledge or upon information communicated to him by others, prefer formal charges to the Commissioner of Public Health and Safety against any member of the fire department for incompetency, neglect of duty, disobedience of orders, drunkenness, or violation of any of the standing rules and regulations of said department. And he may also, pending such charges, suspend such member from duty, and such suspension shall continue in force until the charges can be investigated by said commissioner.

227. Record of Employees.] § 11. Said marshal shall keep in a book to be provided for that purpose a full and accurate record of all the members of the department, showing the date of their appointment and discharge, together with their rate of pay and amount due them, and shall report the same at the end of each month to the Commissioner of Accounts and Finances.

228. Record of Fires, etc.] § 12. He shall keep an accurate list of all fires occurring in said city, the date and location of each fire, the name of the owner of the property destroyed, the cause of the fire, if known, the loss incurred thereby, the amount of insurance, and such other information as he may deem important to the city.

229. May Remove Property at Fires.] § 13. He shall have power to cause the removal of any property whenever it shall become necessary for the preservation of such property from fire, or to prevent the spreading of fire, or to protect adjacent property.

230. May Destroy Buildings.] § 14. He shall have power, when he deems it necessary to check the progress of any fire, to cut down and remove any fence, building or other erection of any kind, and he shall also have the power, when necessity exists, to blow up or cause to be blown up, with powder or otherwise, any building or structure.

231. To Enforce Ordinances—Examination and Inspection.] § 15. It shall be the duty of said marshal to cause all ordinances of the City of Bloomington for the prevention of fires, and all other ordinances and regulations in reference to the fire department, to be strictly enforced.

It shall be the duty of the said chief of the fire department to examine while in course of construction, all churches, school houses, hotels, halls, theaters, rinks or other public buildings and whenever he is of the opinion that such building is being unsafely constructed, he shall at once report the same to the Commissioner of Public Health and Safety. He shall at least twice each year carefully inspect all hotels, church buildings, school houses, halls, theaters, rinks and other public buildings in the city limits and if in his opinion any such building is dangerous to public safety, he shall at once report the same to the Commissioner of Public Health and Safety.

232. Shall Wear Uniform.] § 16. The said marshal shall provide himself, at his own expense, with a suitable uniform, indicative of his rank, as prescribed by the rules and regulations of said department.

233. Turn Over Property, etc, to Successor.] § 17. Upon the expiration of his term of office, or his resignation or removal therefrom, he shall deliver to his successor in office all books, records, equipment and property of every description in his possession belonging to the city or appertaining to his office.

ARTICLE IV.

ASSISTANT FIRE MARSHAL.

Section.

234. Assistant Fire Marshal—Office Created—Appointment.
235. Term.

Section.

236. Bond—Oath.
237. Power and Authority.
238. Shall Wear Uniform.

234. Assistant Fire Marshal—Office Created—Appointment.] § 1. There hereby is created the office of Assistant Fire Marshal, who shall be appointed annually by the Commissioner of Public Health and Safety, with the approval of the Council, on the first day of May, or as soon thereafter as may be.

235. Term.] § 2. He shall hold his office for the term of one year, and until his successor is appointed and has qualified. He shall receive such salary or compensation as may be prescribed by ordinance.

236. Bond—Oath.] § 3. Before entering upon the duties of his office he shall take the oath prescribed for all city officers and shall execute a bond payable to the City of Bloomington in the penal sum of three thousand dollars, with sureties to be approved by the council, conditioned upon the faithful performance of the duties of his office.

237. Power and Authority.] § 4. He shall be second in command of the said fire department, in subordination to the Chief Fire Marshal, and in case of the absence or disability of the said Fire Marshal, he shall possess all the powers and perform all the duties of the said Fire Marshal.

238. Shall Wear Uniform.] § 5. He shall wear such uniform, to be provided at his own expense, as may be designated by the rules and regulations of said department, indicative of his rank.

ARTICLE V.

FIREMEN.

Section.	Section.
239. Firemen, etc.,—Number.	244. Property Saved at Fire—Possession of.
240. Appointment.	245. Trespasser During Fire—Arrest of.
241. General Duties.	246. Prescribed Uniform to be Worn.
242. Qualifications.	
243. Hours of Service—Care of Apparatus.	

239. Firemen, etc.—Number.] § 1. There shall be in the said fire department as many engineers, firemen, drivers, pipemen, truckmen and other subordinate employees as the council from time to time by ordinance or resolution may direct.

240. Appointment.] § 2. All such engineers, firemen, drivers, pipemen, truckmen and subordinate employees of said department shall be appointed annually by the Commissioner of Public Health and Safety, with the approval of the council, on the first day of May, or as soon thereafter as may be. They shall receive such compensation as may be provided by ordinance.

241. General Duties.] § 3. They shall perform such duties as are provided for them by law or ordinance, and in addition thereto such other duties as from time to time may be imposed upon them by the council, the Commissioner of Public Health and Safety or the Chief Fire Marshal.

242. Qualifications.] § 4. No person shall be appointed to or retained as an employee of the Fire Department who is under twenty-one years of age or over sixty years of age, nor unless he is a person of good moral character and a legal voter in said city.

243. Hours of Service—Care of Apparatus.] § 5. The several members of the fire department shall be on duty at all such hours of the day and night as shall be prescribed by the rules and regulations of said department, except when otherwise ordered by the Chief Fire Marshal. And in addition to their general duties they shall keep their fire apparatus in first class condition for actual service, and not expose them to unnecessary hazard.

244. Property Saved at Fire—Possession of.] § 6. No person shall be permitted to remove or take away any property in the possession of the department saved from any fire until proof of the ownership shall have been made to the satisfaction of the Chief Fire Marshal.

245. Trespasser During Fire—Arrest of.] § 7. The Mayor, Commissioners, or the Chief Fire Marshal may, and the Chief of Police and

all policemen shall during the progress of any fire arrest any person found stealing or trespassing upon any property, or wilfully injuring or breaking any engine or other fire apparatus, or any person resisting or obstructing any member of the fire department in the discharge of his duty, or otherwise conducting himself in a riotous or disorderly manner.

246. Prescribed Uniform to be Worn.] § 8. The Commissioner of Public Health and Safety shall prescribe a suitable uniform for the members of the fire department, to be worn by them while in the line of their duty.

All members of the department shall be required to provide themselves with such uniform as may be prescribed, at their own expense, with the exception of the buttons and helmets, which shall be furnished by the city.

ARTICLE VI.

MISCELLANEOUS.

Section.

247. Hindering Officer at Fire—
Injuring Fire Apparatus—
Driving Over Hose, etc.—
Penalty.

Section.

248. Giving False Alarm—Penalty.
249. False Keys—Penalty.
250. Rules for Prevention of Fires.
251. Penalty.

247. Hindering Officer at Fire—Injuring Fire Apparatus—Driving Over Hose, etc.—Penalty.] § 1. Any person who shall wilfully and intentionally hinder or interfere with any city officer or fireman in the performance of his duty at, going to or returning from any fire, or while attending to any of his respective duties connected with the fire department, or wilfully or negligently drive any wagon, dray or other vehicle, or any street car, locomotive or train of cars, across or upon any hose, or shall wilfully cut, deface, destroy or injure any telegraph wire, telegraph pole, signal box, or any of the property or fixtures belonging to or connected with the fire department or the fire alarm telegraph, shall upon conviction therefor be fined not less than ten dollars nor more than one hundred dollars, and shall be liable for all damages done to any such property.

248. Giving False Alarm—Penalty.] § 2. Should any person knowingly give, or cause to be given, any false alarm of fire, by means of the telegraph boxes connected with the fire alarm telegraph, or otherwise, such person shall be subject to a fine of not less than ten dollars nor more than one hundred dollars.

249. False Keys—Penalty.] § 3. Any person making, or causing to be made, any key to any fire alarm telegraph box, or using, or causing to be used, any such key, without the consent of the proper authorities,

shall be subject to a fine of not less than five dollars nor more than one hundred dollars.

250. Rules For Prevention of Fires.] § 4. The following rules hereby are prescribed for the prevention of fire and protection of animals:

(a) Smoking is prohibited in any barn or stable in which horses are kept, or in which hay, straw or any inflammable materials are kept or stored.

(b) No lighted candle or any exposed flame shall be allowed in any quarters described in paragraph "a" herein.

(c) No matches shall be lighted in any quarters described in paragraph "a" herein.

(d) A hose attachment shall be installed in all livery, feed, sale or dray line barns and in all quarters where horses are kept or groomed, and the said attachment shall be equipped with a small hose of sufficient length to reach to any part of said barn or quarters where horses are kept or hay or straw is stored or kept.

(e) Such barns or quarters not having water connections hereby are required to equip each floor or story thereof with at least one three gallon liquid fire extinguisher whenever directed so to do by the Fire Marshal.

251. Penalty.] § 5. Any person, firm or corporation violating any of the provisions or requirements of the last preceding section shall be subject to a fine of not less than five dollars nor more than twenty-five dollars, and each day such violation continues after conviction hereunder shall be considered a separate offense.

ARTICLE VII.

DEPARTMENT OF HEALTH.

Section.

252. Department of Health Created—Membership.

Section.

253. Under Supervision of Commissioner of Public Health and Safety.

252. Department of Health Created—Membership.] § 1. There hereby is established an executive department of the municipal government of the City of Bloomington which shall be known as the Department of Health and shall embrace the Commissioner of Public Health and Safety, the three Commissioners of Health, the Inspector of Health and Food, the Sanitary Inspector, and such other officers as the council from time to time shall provide.

253. Under Supervision of Commissioner of Public Health and Safety.] § 2. The Department of Health and all the officers and em-

ployees therein shall be under the supervision and control of the Commissioner of Public Health and Safety.

ARTICLE VIII.

BOARD OF HEALTH

Section.	Section.
254. Board of Health Created— Membership—Officers.	260. May Enter House—Penalty.
255. Meetings—Quorum.	261. May Destroy Infected Clothing.
256. Rules and Regulations.	262. Orders — Violation — Penalty.
257. Powers of Board.	263. Bills and Accounts.
258. Jurisdiction—Territory.	264. Reports and Recommendations.
259. Contagious Disease—Power.	

254. Board of Health Created—Membership—Officers.] § 1. There hereby is created a Board of Health, which shall be composed of the Commissioner of Public Health and Safety, who shall be chairman of said board, the three Commissioners of Health, and the Inspector of Health and Food. The Inspector of Health and Food also shall be clerk of the board, and he shall keep the minutes of its proceedings in a suitable book to be provided by the city for that purpose.

255. Meetings—Quorum.] § 2. The Board of Health shall hold regular monthly meetings at such time and place as shall be designated by the Commissioner of Public Health and Safety. Special meetings of the board may be called by the Commissioner of Public Health and Safety at such times as in his judgment shall be necessary or advisable. A majority of the board shall constitute a quorum for the transaction of business.

256. Rules and Regulations.] § 3. The Board of Health may make such rules and regulations, not in conflict with the laws of the state or the ordinances of the city, as they may deem necessary for keeping the city in the best possible sanitary condition; for the proper inspection of all food products kept or offered for sale within the city; and for the execution of the powers and duties conferred upon said board by ordinance or by laws of the state.

257. Powers of Board.] § 4. Said board shall exercise a general supervision over the health of the city, with full power to take all steps and use all measures necessary to promote the cleanliness and salubrity thereof; to abate nuisances of every description on public and private property; to prevent the introduction into the city of malignant or infectious diseases, and to remove or otherwise dispose of any person at-

tacked by any such disease, and to adopt in reference to such person any regulations, restrictions or measures deemed advisable; and to establish rules and regulations for the general health of the city. The said board is hereby invested with and shall have and exercise concurrent jurisdiction with the city council to define and declare what shall be deemed nuisances detrimental to the public health, and to authorize the summary abatement thereof.

258. Jurisdiction—Territory.] § 5. The jurisdiction of the Board of Health shall extend one-half mile beyond the limits of the city, and all ordinances of the city and rules and regulations of the Board of Health relating to the public health and the abatement of nuisances, shall apply to and be in force over the territory within the limits of the city, and for one-half mile beyond the limits of the city, whether it is so expressed in any such ordinance or not.

259. Contagious Disease—Power.] § 6. Said Board of Health shall have power when any dangerous, contagious or infectious disease exists in any locality or house within the city, or within one-half mile beyond the limits of the city, to remove the person or persons diseased to the pest house or hospital, and to take any other action said board may deem necessary for the prevention of the spread of such disease.

260. May Enter House—Penalty.] § 7. The said board and any member thereof are and is hereby authorized and empowered at any and all times to enter all houses and other places in said city and within one-half mile of the boundaries thereof, in the discharge of any duty imposed upon them by law or the ordinances of said city, whenever, in their judgment, the public interest requires them so to do; and any person who shall interrupt, interfere with or prevent them from complying with this section shall forfeit and pay not less than five dollars nor more than fifty dollars for every offense.

261. May Destroy Infected Clothing.] § 8. Said board shall cause any wearing apparel, bedding or other thing which they may deem infectious, or likely to endanger the public health and safety, to be disinfected or destroyed.

262. Orders—Violation—Penalty.] § 9. All orders and sanitary regulations of the Board of Health shall be obeyed by all persons in the city, and whoever shall refuse or neglect to obey any such order or regulation shall be subject to a fine of not less than five dollars nor more than fifty dollars for each offense.

263. Bills and Accounts.] § 10. All bills or accounts for expenses incurred by the Board of Health, the Commissioners of Health, or any one of them, the Inspector of Health and Food, and the Sanitary Inspector shall be presented to the Commissioner of Public Health and Safety for his approval, and if found correct he shall certify the same to the Commissioner of Accounts and Finances, who shall present the same to the council for allowance. The Commissioner of Public Health and

Safety shall cause to be kept a record of all the disbursements made on account of the health department: *Provided*, that said Board of Health shall have no authority to incur any expense in excess of the appropriation for that purpose previously made.

264. Reports and Recommendations.] § 11. Said board shall from time to time recommend to the city council such measures as it may deem necessary to promote and secure the health of the city, and to prevent the introduction and spread of dangerous, contagious, malignant and infectious diseases; and said board shall yearly, on or before the first day of May, report to the Commissioner of Public Health and Safety a full and accurate statement of all expenses incurred in the discharge of its sanitary duties, and said board shall at the same time make a detailed statement of their operations for the preceding year, with such suggestions and recommendations as they may deem fit and proper, which report shall be laid before the council by the said commissioner.

ARTICLE IX.

COMMISSIONERS OF HEALTH.

Section.	Section.
265. Commissioners of Health— Offices Created—Appointment—Term.	271. Advice—Contagious Disease.
266. Qualifications.	272. Nuisances—Duties and Powers.
267. Bond—Oath.	273. Nuisances—Abatement of— Penalty.
268. General Duties.	274. Contagious Disease—Notice to be Given—Penalty for Removal.
269. May Require Assistance of Inspectors.	275. Removal to Pest House.
270. Sanitary Control.	

265. Commissioners of Health—Offices Created—Appointment—Term.] § 1. There hereby are created the offices of Commissioners of Health, to the number of three, who shall be appointed annually by the Commissioner of Public Health and Safety, with the approval of the council, on the first day of May, or as soon thereafter as may be. Each of said commissioners shall hold his respective office for the term of one year, and until his successor is appointed and has qualified.

266. Qualifications.] § 2. Each of said commissioners shall be a regularly licensed physician authorized under the laws of the State of Illinois to practice medicine, and shall be in good standing in his profession.

267. Bond—Oath.] § 3. Before entering upon the duties of their respective offices, each of said commissioners shall take the oath prescribed by law for all city officers, and shall execute and deliver a bond, payable to the City of Bloomington, in the penal sum of one thousand

dollars, with sureties to be approved by the council, conditioned upon the faithful performance of the duties of his office. Each of said officers shall receive such salary or compensation as may be provided by ordinance.

268. General Duties.] § 4. Said commissioners shall perform such duties as are required of them by law and ordinance, and such further duties as from time to time may be imposed upon them by the council or the Commissioner of Public Health and Safety.

269. May Require Assistance of Inspectors.] § 5. The commissioners, and each of them, in the performance of the duties required of them, shall be assisted whenever necessary by the Inspector of Health and Food and the Sanitary Inspector, and in such matters the said inspectors shall be amenable to their orders and directions, subject to the approval of the Commissioner of Public Health and Safety.

270. Sanitary Control.] § 6. Said commissioners shall have and exercise a general supervision over the sanitary condition of the city, and the inspection of food, and they shall see that all regulations and orders of the Board of Health relative thereto are obeyed and enforced.

271. Advice—Contagious Disease.] § 7. The Commissioners of Health shall give to the Mayor and other city authorities all such professional advice and information as they may require, with a view to the preservation of the public health, and for the prevention of the sale for food of any article unfit therefor; and whenever they shall hear of the existence of any malignant, contagious, infectious or pestilential disease, they immediately shall investigate the same and adopt measures to arrest its progress, and shall report the same to the Board of Health.

272. Nuisances—Duties and Powers.] § 8. It shall be the duty of the said commissioners to enforce all the laws of the state and ordinances of the city in relation to the sanitary regulations of the city, and to cause all nuisances, so declared to be by law or the ordinances of the city or the regulations of the Board of Health, to be abated with all reasonable promptness.

273. Nuisances—Abatement of—Penalty.] § 9. It shall be the duty of the Commissioners of Health to serve or cause to be served a notice in writing upon the owner, occupant or agent of any lot, building or premises in or upon which any nuisance may be found, or who may be the owner or cause of such nuisance, requiring them to abate the same in such manner as they shall prescribe within a reasonable time to be stated in such notice: *Provided*, that it shall not be necessary in any case for said commissioners to specify in their notice the manner in which any nuisance shall be abated, unless they shall deem it advisable so to do; and such notice may be given or served by any officer who may be directed or deputed to give or make the same; and if such owner, occupant or agent shall neglect or refuse to comply with the requirements of such order within the time specified, they shall be subject to a fine of

not less than five dollars nor more than fifty dollars for each such violation, and each day which any such owner, occupant or agent shall neglect or refuse to comply with the requirements of any such order after the expiration of the time specified in any such notice shall be deemed and taken as a separate and distinct violation of this section, and it shall be the duty of said officers to proceed at once, upon the expiration of the time specified in such notice, to cause such nuisance to be abated: *And, provided, further*, that whenever the owner, occupant or agent of premises in or upon which any nuisance may be found is unknown or cannot be found, the said commissioners shall proceed to abate the same without notice; and in either case the expense of such abatement shall be collected from the person who may have created, continued or suffered such nuisance to exist.

274. Contagious Disease—Notice to be Posted—Penalty for Removal.] § 10. It shall be the further duty of the Commissioners of Health to visit and examine, or cause to be visited and examined, all sick persons who shall be reported to them as laboring or supposed to be laboring under any contagious, infectious, pestilential or epidemic disease, and such commissioners shall cause a notice or notices, printed or written in large letters, to be placed upon or near any house in which any person may be affected or sick with any such contagious, infectious, pestilential or epidemic disease, upon which shall be written or printed the name of the disease with which such person is affected; and if any person or persons shall deface, alter, mutilate, destroy or tear down such notice, without the permission of the Commissioners of Health or Inspector of Health and Food, such person or persons shall be liable for each offense to pay a fine of not less than five dollars nor more than fifty dollars. The occupant of any house upon which such notice shall be placed or posted, as aforesaid, shall be responsible for the removal of the same, and if the same shall be removed without the permission of the Commissioners of Health or Inspector of Health and Food, such occupant shall be subject to a like fine of not less than five dollars nor more than fifty dollars, unless he shall at once notify one of the said commissioners or said inspector of such removal.

275. Removal to Pest House.] § 11. The Commissioners of Health, upon the consent of the Board of Health, shall, when it is deemed advisable, cause any person in the city having a contagious, infectious or pestilential disease to be removed to the pest house, hospital or some other safe and proper place where danger from contagion will be avoided; and said commissioners at once shall notify the proper county and township officials of the condition of the person having such disease, to the end that proper care may be taken of such person: *Provided*, that if such person, being a resident of the city, shall refuse to be removed, or if the condition be such that, in the opinion of the attending physician, removal would be attended with danger to his life, then such measures shall be taken by the Commissioners of Health as may be deemed most advisable to prevent the spread of the pestilence.

ARTICLE X.

INSPECTOR OF HEALTH AND FOOD.

Section.	Section.
276. Inspector of Health and Food—Office Created—Appointment — Term — Assignment.	282. Monthly Report.
277. Bond—Oath.	283. Powers and Duties.
278. General Duties—Police Power.	284. Unwholesome—Seizure and Condemnation.
279. Clerk of Board of Health.	285. May Enter Premises and Examine Food.
280. Shall Have Powers of Commissioners of Health.	286. Obstruction—Penalty.
281. Uniform.	287. Dairies—Inspection of.
	288. Sale of Unwholesome Food—Penalty.

276. Inspector of Health and Food—Office Created—Appointment—Term—Assignment.] § 1. There hereby is created the office of Inspector of Health and Food, who shall be appointed annually by the Commissioner of Public Health and Safety, with the approval of the council, on the first day of May, or as soon thereafter as is practicable. He shall hold his office for the term of one year and until his successor is appointed and has qualified. He shall be under the supervision and control of the Commissioner of Public Health and Safety.

277. Bond—Oath.] § 2. Before entering upon the duties of his office he shall take the oath prescribed by law for all city officers, and shall execute and deliver a bond payable to the City of Bloomington in the penal sum of two thousand dollars, with sureties to be approved by the council, conditioned upon the faithful performance of the duties of his office. He shall receive such salary or compensation as may be provided by ordinance.

278. General Duties—Police Power.] § 3. He shall enforce and carry out all lawful orders, rules and regulations of the Commissioner of Public Health and Safety, the Board of Health and the Commissioners of Health, and he shall enforce all ordinances, rules and regulations pertaining to the health of the city and all ordinances relating to food inspection, and shall make inspections of all substances and materials used for human food that he may suspect to be unwholesome, impure, adulterated or counterfeit.

He shall have all the powers of a regular police patrolman.

279. Clerk of Board of Health.] § 4. He shall be Clerk of the Board of Health, and shall keep the minutes of its proceedings in a suitable book to be provided by the city for that purpose.

280. Shall Have Powers of Commissioners of Health.] § 5. Said inspector when acting under the Commissioners of Health shall have all the powers of said Commissioners of Health, except such as might require professional skill.

281. Uniform.] § 6. He shall wear such uniform, to be provided at his own expense, as may be required by the council or the Commissioner of Public Health and Safety.

282. Monthly Report.] § 7. He shall make a detailed report to the Commissioner of Public Health and Safety on or before the first day of each month, which report the said commissioner shall lay before the council at its next meeting.

283. Powers and Duties.] § 8. Said inspector shall have the power, and it shall be his duty, to inspect all slaughter houses, stalls, shops, and places of business where meat, game, fish, milk, vegetables or other substances or materials for human food are kept stored or for sale that he may suspect to be in an uncleanly and unsanitary condition and to require the owners to keep such places in a clean, wholesome condition; he shall inspect all cattle, meat, game, fish, fowls, milk, vegetables and other substances and materials used for human food that he may suspect to be impure, unhealthful, adulterated or counterfeit, and shall prevent the sale for food of the flesh of any unsound, diseased or crippled animal, or animal overheated when killed, or of any animal, fish, bird or fowl that may have died of disease or by accident, and he shall prevent the sale for food of any substance or material which is in his opinion unwholesome and unfit for use as human food, or adulterated, or in a condition or of a quality which in any ordinance or section of any ordinance of the city or in any state statute is condemned or forbidden.

284. Unwholesome—Seizure and Condemnation.] § 9. When any cattle, meat, fish, fowl, milk, vegetables, or other substance or material used for human food, is found upon inspection to be tainted, diseased, corrupted or unwholesome from any cause, and unfit for human food, or adulterated, or in a condition or of a quality in any ordinance of the city condemned or forbidden, said inspector shall seize the same and cause it to be destroyed or disposed of otherwise than as food: *Provided, however,* that if the owner of the property seized shall at the time of the seizure notify said inspector in writing of his desire to appeal to the Commissioners of Health, said inspector shall cause said property so seized to be inspected by the Commissioners of Health, or any one of them, and if said commissioner or commissioners shall find the same tainted, diseased, corrupted or unwholesome and unfit for food, or adulterated, or in a condition or of a quality in any ordinance of the city forbidden, said commissioner or commissioners shall order the same to be destroyed or disposed of otherwise than for human food; but if he or they shall not so find the same shall be forthwith returned to the owner. All money received for property disposed of as aforesaid shall, after deducting all nec-

essary expenses incurred by reason of such seizure, be paid to the owner of the property seized.

285. May Enter Premises and Examine Food.] § 10. Said inspector shall be authorized and allowed in the proper discharge of his duties, at all times to enter into any grocery store, meat shop, hotel, boarding house, saloon, stable, or other building within the city, and no person dealing in any substance or material used for human food shall refuse to allow the said inspector or the Commissioners of Health to inspect fully any and all substances and materials held, offered or intended for sale, and they shall answer all reasonable and proper questions asked by such officers relative to the condition thereof, place where such substances and materials were procured and of whom. The fact of such substances and materials being found in possession of or on the premises of any aforesaid dealer shall be deemed sufficient evidence that such substances and materials are held for sale.

286. Obstruction—Penalty.] § 11. Whoever shall directly or indirectly resist, obstruct or otherwise interfere with the said inspector in the discharge of his duties shall be subject to a fine of not less than ten dollars nor more than one hundred dollars for each offense.

287. Dairies—Inspection of.] § 12. All dairies, including the cows, cow stables, milk houses, and milk vessels, the owner or owners of which offer milk for sale within the corporate limits of the city, shall be subject to inspection by the said inspector, who shall require the same to be kept in a clean, wholesome condition. Said inspector may enter all dairies and places where milk is sold or kept for sale, and all vehicles used for the conveyance of milk within the city, and whenever he has reason to believe milk found therein is impure or adulterated he shall take a specimen thereof and subject the same to a satisfactory test, or if the Board of Health shall direct, to a chemical analysis, the result of which the Commissioners of Health shall record and preserve as evidence, and a certificate of such result sworn to by the analyzer shall be admissible in evidence in all prosecutions under this article.

288. Sale of Unwholesome Food—Penalty.] § 13. Any person who shall bring into the city with intent to sell the same for human food, or who shall sell, expose or offer for sale within the city for human food, any sick, diseased, unsound, or crippled animal, fish, bird, or fowl, or the flesh thereof, or the flesh of any animal, fish, bird, or fowl that may have died of any disease or accident, or which was in an overheated condition when killed, or any blown, cased, plaited, raised, stuffed, putrid, impure or unwholesome meat, or the flesh of any calf, pig, or lamb under four weeks old, or the flesh of any animal so far advanced in pregnancy as to make the meat unfit for food, or the flesh of any horse, bull, boar, ram, dog or cat, or the flesh of any animal not commonly known or used as or deemed wholesome or fit for food, or any stale, unsound, damaged or unwholesome vegetables, fruit, bread, flour or other article of provisions

or substance or material used for human food, or any milk adulterated with water or other substance, or milk from diseased cows, or from cows fed upon slop, swill or garbage, or milk from cows for the most part kept tied up in stables, or any butter or cheese made from any such milk, or any adulterated bread, butter, lard, cheese or other article or substance used for human food, shall, upon conviction, be fined not less than ten dollars nor more than two hundred dollars for each offense: *Provided*, that each and every sale or offering or exposing to sale of said unsound, unwholesome or adulterated article, as aforesaid, shall constitute a separate and distinct offense under this section: *Provided*, also that all articles exhibited or kept at any place within the city where such articles are usually kept for sale, whether the same be sold or not, shall be deemed an exposure for sale within the meaning of this section: *And, provided, further*, such offender shall forfeit any license or permit he may hold from the city for dealing in articles of food within the city.

ARTICLE XI.

SANITARY INSPECTOR.

Section.

289. Sanitary Inspector — Office
Created—Appointment —
Term—Assignment.

Section.

290. Bond—Oath.
291. Duties.
292. Police Power.

289. Sanitary Inspector—Office Created—Appointment—Term—Assignment.] § 1. There hereby is created the office of Sanitary Inspector of the City of Bloomington, who shall be appointed annually by the Commissioner of Public Health and Safety, with the approval of the council, on the first day of May, or as soon thereafter as may be. He shall hold his office for the term of one year and until his successor is appointed and has qualified, and he shall be under the supervision and control of the Commissioner of Public Health and Safety.

290. Bond—Oath.] § 2. Before entering upon the duties of his office he shall take the oath prescribed by law for all city officers, and shall enter into a bond in the penal sum of two thousand dollars, with sureties to be approved by the council, conditioned upon the faithful performance of the duties of his office. He shall receive such salary or compensation as may be provided by ordinance.

291. Duties.] § 3. The said Sanitary Inspector shall oversee and have charge of the collection and disposal of garbage, ashes, rubbish, refuse and other like materials in the City of Bloomington, and shall perform such other duties as may be assigned to him from time to time by the council or the Commissioner of Public Health and Safety.

292. Police Power.] § 4. The said inspector shall have and possess all the powers of a regular police patrolman.

ARTICLE XII.

DEPARTMENT OF BUILDINGS

Section.

293. Department of Buildings Es-
tablished—Members.

Section.

294. Assignment.

293. **Department of Buildings Established—Members.]** § 1. There hereby is created an executive department of the municipal government of the City of Bloomington which shall be known as the Department of Buildings, and shall embrace the Superintendent of Buildings, City Electrician, City Engineer and Plumbing Inspector, and such other employees as from time to time may be prescribed by the council.

294. **Assignment.]** § 2. The Department of Buildings shall be under the supervision and control of the Commissioner of Public Health and Safety.

ARTICLE XIII.

BOARD FOR INSPECTION OF BUILDINGS

Section.

295. Board for Inspection of
Buildings Established —
Membership — Officers —
Record.
296. Under Control of Commis-
sioner of Public Health
and Safety.
297. May Enter Buildings, etc.

Section.

298. Power of Board.
299. Periodical Examinations of
Buildings.
300. Other Inspections of Build-
ings.
301. Reports.
302. Obstructing Officer — Pen-
alty.

295. **Board For Inspection of Buildings Established—Membership—Officers—Record.]** § 1 The said Superintendent of Buildings, City Electrician, City Engineer and Plumbing Inspector, together with the Commissioner of Public Health and Safety, shall constitute a board to be known as the Board for Inspection of Buildings. The Commissioner of Public Health and Safety shall be chairman of the said board, and the Superintendent of Buildings shall be clerk thereof, and shall keep a record of all the proceedings of said board in a suitable book to be provided by the city for that purpose.

296. **Under Control of Commissioner of Public Health and Safety.]** § 2. The Department of Buildings and the Board for Inspection of Buildings shall be under the supervision and control of the Commissioner of Public Health and Safety: *Provided*, that the City Electrician

and City Engineer shall only be under said control and supervision insofar as their activities and deliberations as members of said Board for Inspection of Buildings are concerned.

297. May Enter Buildings, etc.] § 3. All the members of said board as far as necessary for the performance of their duties, may enter in the day time any building or premises in the City of Bloomington.

298. Power of Board.] § 4. Said board shall have full discretionary power to hear and determine, under the provisions of any of the ordinances of said city, as to whether or not any building or structure in said city is unsafe or dangerous for the occupants thereof, or for the passersby, or to adjoining property, or unsafe or dangerous as to fire, and may declare any building so found to be unsafe or dangerous to be a nuisance, and shall thereupon take the necessary steps for the abatement thereof.

299. Periodical Examinations of Buildings.] § 5. Said board at least once in six months shall inspect and examine all school buildings, public halls, churches, theaters and all buildings used either for manufacturing, commercial or hotel purposes, for the purpose of determining the safety of the building, or any elevator used therein; the proper ventilation and drainage of any such building; the condition of the plumbing; the safety of the funnels, flues, fire boxes and heating apparatus of the same; the sufficiency of its doors, passageways or aisles and stairways, and generally, its facilities for egress in case of fire or accident, and shall make returns of all violations of any of the provisions of the ordinances of the city to the Corporation Counsel for prosecution.

300. Other Inspections of Buildings.] § 6. Whenever said board shall be notified, or whenever it shall come to the knowledge of any member of said board that any building or premises are not kept in the condition required by the ordinances of said city, or are in an unsafe or dangerous condition, it shall be the duty of said board to make a special inspection of such place or building, and if such is found not to be in such condition as is required by the ordinances, or is unsafe or dangerous, said board shall give notice in writing to the owners or lessees of such place or building to make such changes, alterations or repairs as the public safety and the ordinances of the city may require.

301. Reports.] § 7. The said board, through the Commissioner of Public Health and Safety, shall make quarterly reports of its doings to the council.

302. Obstructing Officer—Penalty.] § 8. Whoever shall resist, obstruct, or otherwise interfere with any member of said board in the discharge of any of the duties imposed upon him shall be fined not less than five dollars nor more than one hundred dollars for each offense.

ARTICLE XIV.

SUPERINTENDENT OF BUILDINGS

Section.	Section.
303. Superintendent of Buildings—Office Created—Chief Fire Marshal to be—Powers.	310. Control of Elevators—Penalty.
304. Appointment—Term.	311. Enforcement of Anti-Fire Ordinances.
305. Bond.	312. Investigation of Cause of Fires.
306. May Require Other Officers to Assist In Inspection.	313. Notices — Permits — Fees —Record.
307. General Control.	314. Register of Transactions.
308. Inspection and Control of Buildings Being Constructed.	315. Fees—Amount—When Payable.
309. Stop Construction—When—Penalty.	316. Record of Fees Received.
	317. Monthly Accounting.
	318. Annual Report.
	319. Disability—Substitute.

303. Superintendent of Buildings—Office Created—Chief Fire Marshal to be—Powers.] § 1. There hereby is created the office of Superintendent of Buildings, which office, until otherwise provided by ordinance, shall be filled by the Chief Fire Marshal, who is hereby vested with full power to carry into force and effect all the terms and conditions of the ordinances relating to buildings and their inspection.

304. Appointment—Term.] § 2. Said Superintendent of Buildings, when the council shall provide by ordinance for the appointment of some person other than the Chief Fire Marshal, shall be appointed annually by the Commissioner of Public Health and Safety, with the approval of the council, on the first day of May, or as soon thereafter as may be. He shall hold his office for the term of one year and until his successor is appointed and has qualified.

305. Bond.] § 3. Said Superintendent of Buildings, before entering upon the duties of his office shall execute a bond payable to the City of Bloomington, in the penal sum of two thousand dollars, with sureties to be approved by the council, conditioned upon the faithful performance of the duties of his office: *Provided*, that no further bond than the one executed for his own office shall be required of the Chief Fire Marshal when he acts as *ex officio* Superintendent of Buildings.

306. May Require Other Officers to Assist in Inspection.] § 4. The Superintendent of Buildings, in the course of any regular or special inspection of any building or structure, shall have power to require the City

Electrician, City Engineer, Plumbing Inspector, or any other officer or employee of the city, to accompany him on said inspection and render an opinion to the said superintendent on any matters about which said opinion shall be requested; and it shall be the duty of the said officers and employees so to accompany and assist the said superintendent when so requested by him.

307. General Control.] § 5. He shall have charge of the enforcement of all ordinances in force, or which may hereafter be passed, pertaining to the erection, construction, alteration, repair or removal of buildings, the arrangement of heating appliances, and shall grant all permits for the erection, construction, alteration, repair or removal of buildings within the city.

308. Inspection and Control of Buildings Being Constructed.] § 6. He shall, as often as practicable, make careful inspections of all buildings while in process of construction, to the end that all ordinances of the city relating thereto shall be strictly enforced, and shall have full power to pass upon any question arising under any of the ordinances of the city relating to the manner of construction, or materials to be used in the construction, alteration or repair of any building or buildings in said city.

309. Stop Construction—When—Penalty.] § 7. Said Superintendent shall have power to stop the construction of any building, or the making of any alteration in or repair of any building within said city when the same is being done in a reckless or careless manner or in violation of any of the ordinances of the city, and to order, in writing or otherwise, any and all persons in any way or manner whatever engaged in so constructing, altering or repairing any such building, to stop and desist therefrom. Any person who shall refuse, fail or neglect to comply with such order shall be subject to a penalty not exceeding twenty-five dollars for such refusal, failure or neglect, and a further penalty of not exceeding fifty dollars for each and every day he shall continue to fail, refuse or neglect to comply with such order.

310. Control of Elevators—Penalty.] § 8. He shall have power to make any order prohibiting the use of any elevator whenever the same, or the hoistway in which it is used, is in a dangerous or unsafe condition; and any such order shall continue in force until such elevator or hoistway, or both, are put in a perfectly safe condition. Whoever shall continue to use any elevator after an order prohibiting the use of the same has been made by the Superintendent of Buildings, and before the necessary repairs thereon have been made, shall be subject to a fine of not less than five dollars nor more than fifty dollars for each offense, and a like penalty for each and every day the same shall be so used.

311. Enforcement of Anti-Fire Ordinances.] § 9. He shall enforce all ordinances of the city relating to the storage of combustibles and the arrangement of heating appliances, engines, boilers, forges, or manufacturing by the use of heat.

312. Investigation of Cause of Fires.] § 10. He shall make a careful investigation of the origin or cause of all fires occurring in said city, and keep a record of such fires.

313. Notices—Permits—Fees—Record.] § 11. Said superintendent shall sign all certificates and notices required to be issued from the Department of Buildings, and he shall keep a record of the same, and issue all permits authorized to be issued, and collect all fees due said department.

314. Register of Transactions.] § 12. Said superintendent shall keep in proper books for that purpose a register of all transactions of said department, which said books shall be open to the inspection of the Mayor, Commissioners and Chief of Police at all times.

315. Fees—Amount—When Payable.] § 13. The said superintendent shall collect the following fees for all permits granted:

For each permit for the removal of any building, as follows:

If the removing is done on trucks or vehicles of any kind, and the distance is six blocks or less, two dollars; if the distance is more than six blocks, three dollars.

If it is a large building and must be removed on rollers with the capstan process, and the distance is three blocks or less, five dollars; if the distance is more than three blocks, ten dollars.

For each application for a permit for the erection, alteration or repair of any building, as follows:

One dollar for each one thousand dollars, or fraction thereof, of the estimated cost up to five thousand dollars, and fifty cents for each one thousand dollars or fraction thereof, over five thousand dollars.

In case the permit is refused for the reason that the proposed building, alteration or repair does not comply with the ordinances, the fee paid shall not be refunded; and in case changes are made in the proposed building, alteration or repairs so as to conform to the ordinances of the city, only one fee shall be collected. All fees shall be paid at the time the application for permit is filed.

316. Record of Fees Received.] § 14. Said superintendent shall keep an accurate account of all fees paid and required to be paid to him, giving the name of the party, date and amount of such fee or fees.

317. Monthly Accounting.] § 15. Said superintendent on the last day of each and every month shall pay over to the Commissioner of Accounts and Finances all moneys collected by him, and shall take a receipt therefor.

318. Annual Report.] § 16. Said superintendent at the end of each fiscal year shall prepare and present to the Commissioner of Public Health and Safety a report showing the receipts and expenditures and entire work of his department during the fiscal year, which report shall be laid before the council by said commissioner.

319. Disability—Substitute.] § 17. In the absence of the superintendent on account of sickness or other cause, one of the other members of the board, to be selected by the Commissioner of Public Health and Safety, shall act in his place during such absence, and shall have the same powers exercised by the superintendent. No additional compensation shall be paid for such services.

ARTICLE XV.

INSPECTOR OF PLUMBING—PLUMBING REGULATIONS.

Section.	Section.
320. Inspector of Plumbing — Office Created — Appointment—Term.	334. Permit—Form and Contents.
321. Qualifications.	335. Fees—When Payable—Property of City.
322. Bond—Oath.	336. Inspector May Require Plans.
323. General Duties—Member of Boards.	337. Certificate of Approval.
324. Not to be Engaged in Business as Master Plumber.	338. Rules Regulating Plumbing Work Other Than in Connection with City Water Works.
325. May Enter Private Premises.	339. Extent of Inspector's Jurisdiction.
326. Notices — Record — Inspections—Collection of Fees.	340. Penalty.
327. Proper Books to be Kept.	341. Plumbers—License.
328. Duty of Inspector.	342. License Posted—Change of Firm.
329. Fees.	343. House Plumbing and Drainage.
330. Account of Fees—Monthly Settlement.	344. License for Sewer Work in Connection with House Drains.
331. Place of Office.	
332. Yearly Accounting.	
333. Permit—When Required.	

320. Inspector of Plumbing—Office Created—Appointment—Term.]
 § 1. There is hereby created the office of Inspector of Plumbing. He shall be appointed annually by the Commissioner of Public Health and Safety, with the approval of the council, on the first day of May, or as soon thereafter as may be. He shall hold his office for the term of one year, and until his successor is appointed and has qualified.

321. Qualifications.] § 2. The person so appointed shall be well qualified from practical experience in the business of plumbing, house drainage and plumbing ventilation, and must be a resident of the City of Bloomington and a citizen of the United States. He must hold a plumbers license when appointed.

322. Bond—Oath.] § 3. Before entering upon the duties of his office he shall take the oath of office prescribed for all city officials, and

shall execute and deliver a bond payable to the City of Bloomington, with sureties to be approved by the council, in the penal sum of two thousand dollars, conditioned upon the faithful performance of the duties of his office. He shall receive such salary or compensation as may be provided by ordinance.

323. General Duties—Member of Boards.] § 4. He shall perform such duties as are provided by law and ordinance, and in addition thereto such other duties as from time to time may be imposed upon him by the council or Commissioner of Public Health and Safety. He shall be a member of the Board of Plumbing Examiners and the Board for Inspection of Buildings.

324. Not to be Engaged in Business as Master Plumber.] § 5. Said Inspector of Plumbing shall not engage as a master plumber in the occupation of plumbing, house drainage or plumbing ventilation, or be interested directly or indirectly in any firm or corporation engaged in the business of plumbing, house drainage or plumbing ventilation during his term of office.

325. May Enter Private Premises.] § 6. The said inspector may, as far as necessary in the performance of his duties, enter in the day time any building or premises in the City of Bloomington.

326. Notices—Record—Inspections—Collection of Fees.] § 7. It shall be the duty of the said inspector to sign and issue all notices and certificates required, to pass upon all plans submitted, to keep a daily record of his work, including all notices and applications received, permits granted, violations of these regulations, and all other matters which may pertain thereto; he shall inspect all houses in course of erection or undergoing alteration or repair as often as may be necessary, and shall see that all plumbing work, drainage and ventilation is done in accordance with the provisions of these regulations, and he shall collect all fees that become due.

327. Proper Books to be Kept.] § 8. Said inspector shall keep in proper books provided for that purpose a register of all his transactions, which said book shall be open to the inspection of the Mayor and the commissioners at all times.

328. Duty of Inspector.] § 9. It shall be the duty of the said inspector to see that the construction, maintenance and control of the plumbing, drainage and ventilation of all buildings in the City of Bloomington conform to and comply with the rules and regulations established by ordinance.

329. Fees.] § 10. The said inspector shall collect the following fees for all permits granted:

For each application for permit in a new building, or for alteration of existing plumbing, the charges shall be one dollar a fixture; the word "fix-

ture'' being here meant to include all openings left for waste or ventilation pipes, whether fixtures are set or not.

Where any extra trips are made on account of any defective material in or work performed on said job, or on account of being required to lay out a job of work, then the person obtaining said permit, as hereinbefore provided, shall pay to said inspector the sum of one dollar for each extra trip so made by him for the causes aforesaid.

Where any changes in soil, waste or ventilation pipes are made and where no changes are made in the number or location of the fixtures, the person obtaining said permit as hereinbefore provided, shall pay to said inspector the sum of one dollar per hundred dollars' worth, or fraction thereof, of such soil, waste or ventilation pipes so used.

All fees shall be paid by those delinquent before another permit is granted to any such person, firm or corporation.

330. Account of Fees—Monthly Settlement.] § 11. Said inspector shall keep an accurate account of all fees paid or required to be paid to him, giving the name of the party paying same, date paid, and amount of fees, and shall on the last day of each month pay over to the Commissioner of Accounts and Finances all moneys collected by him, and shall take a receipt.

331. Place of Office.] § 12. Said inspector shall keep his office at such place as shall be designated by the council, and shall attend there for the transaction of the business of his office at least two hours each working day.

332. Yearly Accounting.] § 13. Said inspector shall at the end of each fiscal year prepare and present to the Commissioner of Public Health and Safety a report showing the receipts and expenditures, and the entire work of his department during the full previous year.

333. Permit—When Required.] § 14. No plumbing work shall be done within the City of Bloomington, except in case of repairing leaks, without a permit first being issued therefor by the Inspector of Plumbing.

334. Permit—Form and Contents.] § 15. The said permits shall be made in book form, well bound and numbered in duplicate from one upwards. These duplicates shall be signed by the Inspector of Plumbing, one of which shall be delivered to the person, firm or corporation doing the work, and the other to remain undetached in said book in the office of the inspector to be retained for any future use or reference by the city. Said permit shall contain a statement of the number of fixtures to be included in the said work, and any other details that the said inspector shall deem advisable.

335. Fees—When Payable—Property of City.] § 16. All fees on any work shall be due and payable upon the application for a permit, and no permit shall issue until such fees have been paid. Said fees shall belong to and be the property of the City of Bloomington.

336. Inspector May Require Plans.] § 17. In all cases where the Inspector of Plumbing shall deem it advisable and the plumbing work will exceed the amount of one hundred dollars, the inspector may require that the architect, owner or agent of the property submit to him suitable plans, specifications and descriptions of all proposed plumbing work to be done, which shall be drawn to scale and shall show clearly the location of every pipe, fixture and trap and the ventilation of rooms in which plumbing fixtures are to be placed. The inspector may refuse to issue a permit for said work until such plans, specifications and descriptions have been filed with and approved by him.

337. Certificate of Approval.] § 18. Upon the completion of any work, and its inspection as herein provided, and its approval by the Inspector of Plumbing, the said inspector shall issue to the owner a certificate of approval, and shall retain a duplicate of said certificate in his office.

338. Rules Regulating Plumbing Work Other than in Connection with City Water Works.] § 19. The construction, maintenance and control of the plumbing, drainage and ventilation of all buildings in the City of Bloomington shall hereafter conform to and comply with the following rules and regulations, viz:

First—Old Plumbing.] Whenever it shall come to the knowledge of said inspector, or complaint in writing shall be made by two citizens, that the plumbing in any building causes a nuisance or is contrary to the ordinances of said city, or is of faulty construction and likely to breed sickness or disease or endanger the health of the occupants; or upon request of the Commissioner of Public Health and Safety, or the owner or occupant of any building fitted with plumbing, then said inspector shall examine the plumbing in such building and make a drawing of the plans of said plumbing, drainage, sewer and ventilating shaft. He shall report his findings in writing to the Board of Health and suggest such changes as are necessary to make the same conform to the rules governing these matters. The Board of Health shall then notify the owner or owners, agent or occupant of any such building of the changes which are necessary to be made in the plumbing. These changes shall be made within a time fixed by said board, and upon refusal or neglect to obey such orders, the board shall proceed to have such changes made and such nuisances abated and recover the expense from the owner or occupant of said premises.

Second—Inspector to be Notified When Work is Ready for Inspection.] The said inspector must be notified by the plumber doing work when said work is begun and when any work is ready for inspection. All work must be left uncovered and convenient for examination until inspected and approved. No notice shall be sent for an inspection until the work is entirely ready for a thorough inspection. In case of any violation the approval of said plans may be at once revoked by the inspector and upon notice of revocation being given all work on said plans must cease.

Third—Inspector Must Examine Work Within Twenty-four Hours—Tests.] The said inspector shall examine the work within one working day after notice that it is ready for inspection has been received. All plumbing when placed in position must be tested by the water test, in the presence of the inspector, and all defective joints made tight. Defective pipes must be removed and replaced with sound pipes. When the entire plumbing work is completed, and before it is used, it must be tested by peppermint, or other practical test, in the presence of the inspector, and upon satisfactory completion of said work the plumbing inspector shall issue a certificate of approval.

Fourth—Soil and Waste Pipes—Material—Fittings.] All soil and waste pipes shall be of lead, brass or extra heavy cast iron. No brick or sheet metal pipes shall be used in any part of the plumbing or drainage system within a building. Chimney flues shall not be used for ventilators. Such pipes shall be of uniform thickness, and shall be free from holes, cracks or other defects. All fittings shall be of corresponding weight and quality. Fittings for galvanized, wrought iron pipes shall be of galvanized malleable iron.

Fifth—Vent Pipes—Material—Joints.] Vent pipes shall be of lead, brass, galvanized wrought iron of standard weight, or extra heavy cast iron. Galvanized wrought iron pipes shall be lap or butt welded with screw joints.

Sixth—Cast Iron Soil, Waste and Vent Pipes—Coating—Weight.] All cast iron pipes used for soil, waste or vent pipes shall be thoroughly coated inside and out with coal tar or pitch, applied hot by immersion.

The weight of all such cast iron pipes shall conform to the following requirements:

Two inch pipe, five and one-half pounds per foot.

Three inch pipe, nine and one-half pounds per foot.

Four inch pipe, thirteen pounds per foot.

Five inch pipe, seventeen pounds per foot.

Six inch pipe, twenty pounds per foot.

Seven inch pipe, twenty-seven pounds per foot.

Eight inch pipe, thirty-three and one-half pounds per foot.

Seventh—Requirements as to Lead Pipe.] When lead pipe is used for waste or vent pipes, it shall have a weight of not less than is specified as follows:

One-inch pipe, two pounds per lineal foot.

One and one-fourth inch pipe, two and one-half pounds per lineal foot.

One and one-half inch pipe, three and one-half pounds per lineal foot.

Two inch pipe, four pounds per lineal foot.

Three inch pipe, five pounds per lineal foot.

Three and one-half inch pipe, six and one-half pounds per lineal foot.

Four inch pipe, eight pounds per lineal foot.

Eighth—Connecting Pipes—Requirements for Wrought Iron Pipes.] When lead pipe is used to connect fixtures with soil or waste pipe, or to connect traps with vent pipes, such branches shall be as short as possible.

All wrought iron pipes shall be galvanized, of standard weight, and shall be lap or butt welded with screw joints.

Ninth—Joints and Connections.] All joints in cast iron pipes, drain pipes, soil pipes and waste pipes shall be so filled with oakum and lead, and hand calked, as to make them gas and water tight. Wrought iron pipes shall be connected by means of proper couplings with screw joints cemented with red lead. All connections between lead and cast iron pipes shall be made with suitable brass or lead ferrules of the same size as the lead pipe, put in the hub of the branch of cast iron pipe, and calked with lead. The lead pipe shall be attached to the ferrule by means of a wipe joint.

Tenth—Joints and Connections—Further Requirements.] Wrought iron pipes shall be connected with lead pipes by means of a brass soldering nipple wiped to the lead pipe. All connections of lead waste and lead vent pipes shall be made by means of wipe joints. Where wrought iron pipe is connected with cast iron pipe, the case iron fittings must be tapped and the connections made by a screw joint.

Eleventh—Size of Service Pipe, etc.] All ferrule or corporation cocks, and all service pipe shall be at least five-eighths of an inch in size, and the latter shall be of extra strong lead pipe. Nothing less than five-eighths of an inch water meter shall be used.

Twelfth—Drain, Soil, Waste and Vent Pipes.] All drain, soil, waste, vent and supply pipes shall be as direct and concentrated as possible, and shall be protected from frost.

Thirteenth—Soil and Waste Pipes—Size.] The smallest diameter of any soil pipe permitted to be used shall be four inches. The size of soil and waste pipes shall not be less than those set forth in the following tables:

MAXIMUM NUMBER OF FIXTURES CONNECTED TO

Size of Pipe	Waste Soil and Waste Combine			Soil Pipe Alone	
	Maximum developed length in feet	Branch Small Fixtures	Main Small Fixtures	Branch Water Closets	Main Water Closets
2-inch.....	40.....	3.....or.....	4		
3-inch.....	100.....	4.....or.....	8		
4-inch.....	150.....	32.....or.....	64	8 or	16
5-inch.....	200.....	72.....or.....	144	18 or	36
6-inch.....	250.....	144.....or.....	288	36 or	72
7-inch.....	300.....	252.....or.....	504	63 or	126
8-inch.....	350.....	420.....or.....	840	105 or	210

When a combination on the same line of small fixtures with water closets is desired, the above table shall be used, counting one water closet as equal to four small fixtures, there being no distinction between combinations on branch or main lines.

Fourteenth—Connection Between Trap and Cast Iron Pipe.] Whenever a lead connection is made between the fixture trap and the cast iron pipe the said connection shall be as short as possible, and in no case shall exceed three feet.

Fifteenth—Cast or Wrought Iron Pipes—Bends—Connections.] All changes in direction of cast or wrought iron pipes shall be made with curved fittings; all connections shall be made with Y branches and one-sixteenth or one-eighth inch bends whenever possible; if this is not possible, sanitary T's shall be used.

Sixteenth—Ventilating Pipes—Requirements.] Every vertical soil, vent and main waste pipe shall extend at least one foot above the roof, and said pipe shall have a diameter above the roof at least as great as the pipe proper, except that one and one-fourth and one and one-half inch pipe shall be increased to two inches before passing through the roof. No cap or cowl shall be affixed to the top of such ventilating pipe, but a strong wire basket may be used. Every length shall be securely fastened, and every line shall rest at its foot upon a pier or foundation to prevent settling.

Seventeenth—Ventilating Pipes—Shall be Installed on Work for Future Use—Unused Openings.] If soil or waste pipes are placed in buildings for future use, the necessary ventilation pipes shall also be put in and the work tested and inspected as if for immediate use. All openings not in use shall be closed by plugs, screwed or calked in.

Eighteenth—Main Drain—Openings.] The main drain shall be provided with openings for cleaning purposes, the same to be closed with brass plugs.

Nineteenth—Overflow and Waste Pipes—Traps—Discharge.] Overflow pipes from tanks and waste pipes from refrigerators or other receptacles in which provisions are stored shall be properly trapped and shall discharge into an open water supply fixture.

Twentieth—Clean Outs.] All vertical lines of soil or waste pipe shall have a clean-out at the foot of the line. Where the direction of the soil or waste pipe is changed, clean-out connections shall be placed, and clean-out connections also shall be placed at the end of each horizontal line, and if necessary at each junction. Clean-out connections also shall be placed just inside the building wall where the house drain enters. In all horizontal lines of soil or waste pipe clean-out connections shall be placed twenty-five feet apart, except that in horizontal sink wastes which are run underground clean-out connections shall be placed at each fifteen feet. All clean-outs shall be of the same diameter as the pipe in which they are inserted, and shall be of heavy cast brass at least four inches long with air tight screw joints. They shall be calked into the iron pipe with molten lead and picked oakum.

Twenty-first—Openings to be Closed by Plugs.] All openings in soil, sewer, drain, waste, supply and ventilation pipes must be closed by plugs screwed, calked or wiped in.

Twenty-second—Trap Screws—When Required.] Trap screws shall be placed on the ends of all lines of waste pipe having more than one fixture attached thereto on the same floor, and on the end of all horizontal lines.

Twenty-third—Main House Drain—Material—Connection.] The main house drain or waste pipe shall be of a good grade of cast iron pipe properly laid and run to a point four feet outside of the cellar wall, where it shall connect to not less than a six-inch sewer tile.

Twenty-fourth—House Drain—When Sewer Tile May be Used.] Sewer tile may be used for house drain, provided said sewer was constructed and in the cellar of premises prior to the passage of this ordinance, and provided that the sewer tile be six inches in size for water closets and four inches in size for other fixtures. If said sewer tile now in use does not conform to these sizes, the same shall be removed and constructed of cast iron pipe.

Where no water closets are to be used, the drain may be constructed of tile and reduced from six inches on the outside of the building to four inches and run inside with properly cemented joints and connections to other fixtures, but shall be removed and replaced with cast iron pipe when it is desired to connect same for water closets. Plumbers shall notify owners of this when figuring work of this nature.

Twenty-fifth—Roof Flashings.] All roof flashings shall be made of lead or copper.

Twenty-sixth—Slip Joints and Union Connections—Not to be Concealed.] No slip joint or union connection of any kind on soil, waste or vent pipes shall be concealed in the wall or under the floor unless some provision is made so that free access may be had thereto.

Twenty-seventh—Offset and Double Hub Fittings—When Prohibited.] Offset fittings over six inches from center to center, and double hub fittings shall not be used except above the highest fixture.

Twenty-eighth—Tapped T's—When Prohibited.] Tapped T's shall not be put on horizontal waste pipes of any kind.

Twenty-ninth—Waste Stacks—Fittings.] Sanitary tapped T's may be used on vertical sink and basin waste stacks, but in no case shall straight tap fittings be used thereon.

Thirtieth—Loop and Circuit Venting—When Permitted—Requirements.] Loop or circuit venting on small fixtures shall not be permitted, except that when on account of the construction of the building it is impracticable to use separate trap vents, loop or circuit venting may be used upon a special permit from the Inspector of Plumbing.

Batteries of water closets may be loop or circuit vented, and in all such cases the said venting shall conform to the following table:

Size of soil branch.	Number of Closets.	Size of Vent.
4 inches	2	2 inches.
4 inches	3	2½ inches.
4 inches	4	3 inches.
5 inches	5 to 8.....	4 inches.
6 inches	9 to 14.....	5 inches.
7 inches	15 to 22.....	6 inches.
8 inches	23 to 30.....	7 inches.

In all such batteries the main soil stack shall continue from its top soil branch undiminished through the roof. The vent extension may be connected back to the main soil stack above all fixtures, or may run from the end of the soil branch full size through the roof.

All vent pipes shall reconnect with the main soil stack below the lowest fixture by means of a Y fitting in such a manner as to prevent an accumulation of rust, except in cases where there is a battery of fixtures on one floor only and no other fixtures on floors above or below.

In all batteries of closets the connection from the fixture to the soil branch shall be made with a lead bend and Y fitting, or a ferrule and Y fitting.

Thirty-first—Catch Basins Required Where Oils, etc., Are Drained.] No public garage or other establishment where oils or other inflammable materials are used and drained shall be connected to any public sewer, in the city, or to any sewer or way draining into any public sewer, unless the floor drains from such places are connected with catch basins. The size of the said catch basin shall be dependent on the size and use of the building, and shall in all cases be subject to the approval of the Inspector of Plumbing before installation. The catch basin used shall be the Deahn Catch Basin or its equal.

Thirty-second—Traps.] Every water closet, urinal, sink, basin, wash tray, tub or set of tubs, hydrant waste pipes, and all other fixtures shall be separately and effectively trapped. Urinal platforms, if connected to drain pipes, shall also be properly trapped, and a supply of water so arranged as always to maintain the seal of said traps. In no case shall the waste from the bathtub or other fixtures be connected with a water closet trap. Traps shall be placed as near the fixtures as practicable, and in no case shall a trap be more than two feet from the fixture; each trap shall be provided with suitable, accessible openings for cleaning purposes.

There shall be no trap placed on vertical soil and waste pipes. Traps must be protected from siphonage, and the waste pipe leading from them ventilated by a special air pipe.

Thirty-third—Ventilating Pipes—Connection With Vertical Pipe.] Vent pipes shall open into a vertical ventilating pipe at least two inches in diameter, increasing in area as it passes upward to correspond with the combined area of all branch vents passing into it, and extending above the roof as herein provided; or they may open into the soil pipe extension above all fixtures.

Thirty-fourth—Sinks in Hotels, etc.—Grease Trap.] Slop sinks, kitchen sinks and pantry sinks in all restaurants, hotels, eating houses and public boarding houses must be provided with and connected to a grease trap or catch basin of approved pattern.

Thirty-fifth—Traps for Bath Tubs and Bars.] Drum traps shall be provided at bath tubs, but such drum traps and traps for bars need not be vented.

Thirty-sixth—Water Closets—Water for—Connection to Drain Pipe—Flooding Pipe.] No water closet shall be supplied directly from the house supply pipe, but shall be supplied with water from a special tank or cistern not used for any other purpose, or a flushometer may be used, and shall be separately and independently connected with the general or common drain pipe of the house. The flooding pipe shall not be less than one and one-fourth inches in diameter.

Thirty-seventh — Water Closets — Location — Construction—Supply Tanks.] All water closets shall be located in a well ventilated apartment, with a window of suitable dimensions leading to the outer air where possible. The space in and around the water closets and wash bowls shall not be enclosed with woodwork, but shall remain open and exposed to view. A group of closets may be supplied from one tank, but water closets on different floors shall not be flushed from one tank.

Thirty-eighth — Water Closets — Kinds Prohibited.] No pan or plunger closet shall be placed in any building, nor shall any old pan or plunger closet be replaced with a new one, nor shall any hopper closet be placed in any building except in case of an outside water closet.

Thirty-ninth—Cellars—Relieving Arches—Drainage—Traps—Subsoil Drains.] Where pipes pass under the walls of a house there shall be a relieving arch to prevent the pipes being broken by the settling of masonry. Cellars shall be drained by means of suitable, properly laid earthenware tile pipes. A running trap or trapped basin shall separate the cellar drain from the house drain or sewer. Cellar and foundation walls shall be rendered impervious to dampness and subsoil drains must be provided when necessary.

Fortieth—Cellars and Areas—Not to be Connected With House Drain.] Cellars and areas shall not be connected with the house drain unless absolutely necessary. If connected with the house drain they must be properly trapped, and the water supply shall be sufficient to maintain the seal at all times.

Forty-first—Floor Drains—When Connected to House Drain.] Floor drains, when connected to a house drain, shall be separately trapped, and all said traps shall have not less than a four inch water seal.

Forty-second—Rain Water Leaders—Connections—Material—Uses—Traps.] Rain water leaders shall not be connected to the house sewer except where special permission is obtained from the inspector. When within the house, the rain water leader shall be of cast iron with leaded joints, or galvanized wrought iron. No rain water leader shall be used as a soil pipe, waste pipe, or vent pipe, nor shall any soil, waste or vent pipe be used as a leader. When outside of a house and connected with a house drain, said leaders must be of sheet metal with slip joints, and be trapped beneath the ground or just inside the wall, the said trap being protected from frost.

Forty-third—Clean-Outs and Traps on Rain Water Leaders and Cistern Overflows.] All clean-outs on rain water leaders shall be brought above the level of the floor or ground so that they shall be accessible in order to clean out the trap or to renew the water seal. Cistern overflows that are connected to a house drain shall have a trap beneath the ground or just inside the wall, and also must have a clean-out brought above the level of the floor or ground.

Forty-fourth—Rain Water Leaders—Traps—Joints.] In every case where a leader opens near a window or a light shaft, it shall be properly trapped at its base. The joint between an iron leader and the roof must be made gas and water tight, preferably by means of a brass ferrule and lead or copper pipe properly soldered.

Forty-fifth—Steam Pipes Not to be Connected With Private Drain or Sewer.] No steam exhaust, blow-off, or drip or return pipe from any steam trap, shall be connected with any private drain or sewer which is connected with any public drain or sewer. Such pipes shall discharge into a tank or condenser.

339. Extent of Inspector's Jurisdiction.] § 20. The provisions and regulations contained in the foregoing rules and regulations, together with such instructions as the inspector may deem proper, shall extend over and govern the construction, reconstruction, maintenance, alteration and repair of plumbing, drainage and ventilation of all buildings in the City of Bloomington, and to a point outside of the walls of said buildings to the trunk line sewer or water main.

340. Penalty.] § 21. Any person, firm or corporation violating any of the provisions of this article, or who shall fail or neglect to comply with the reasonable rules, orders and regulations of the Inspector of Plumbing, shall be fined not less than five dollars nor more than one hundred dollars for each offense.

341. Plumbers—License.] § 22. No person, firm or corporation shall carry on the business of plumbing within the City of Bloomington without first having obtained a license therefor under the state law.

342. License Posted—Change of Firm.] § 23. Any change of the firm name or location of business must be properly reported to the Inspector of Plumbing, and the license shall be kept in a conspicuous place at the place of business.

343. House Plumbing and Drainage.] § 24. All plumbing and drain work in any house or connected therewith shall be subject to the inspection, supervision and approval of the said inspector.

344. License for Sewer Work in Connection with House Drains.] § 25. Any person or persons wishing to do sewer work in connection with house drains or plumbing systems shall take out a license therefor.

ARTICLE XVI.

BOARD OF EXAMINERS OF PLUMBERS.

Section.		Section.	
345.	Board of Examiners of Plumbers — Created — Membership.	349.	Penalty.
346.	Appointment—Term.	350.	Bond.
347.	Powers and Duties.	351.	Certificate—Cancellation and Suspensions.
348.	Certificate.	352.	Bond from Person Doing Own Work.

345. Board of Examiners of Plumbers—Created—Membership.] § 1. There hereby is created the Board of Examiners of Plumbers, which board shall consist of the Chairman of the Board of Health, who shall be chairman of the Board of Examiners of Plumbers, a master plumber and a journeyman plumber.

346. Appointment—Term.] § 2. The last two members of said board shall be appointed annually by the Commissioner of Public Health and Safety, with the approval of the council, on the first day of May, or as soon thereafter as may be: *Provided*, that the journeyman plumber on said board shall be the Inspector of Plumbing of the City of Bloomington, who, *ex officio*, shall be a member of the Board of Examiners of Plumbers. They shall hold their respective offices for the term of one year, and until their respective successors are appointed and have qualified.

347. Powers and Duties.] § 3. The said Board shall have such powers, perform such acts and execute such duties as now are or may hereafter be provided by the Statutes of the State of Illinois.

348. Certificate.] § 4. No person shall carry on or engage in or work at the business of plumbing either as master plumber, employing plumber or journeyman plumber in the City of Bloomington who has not first obtained from the said board of examiners a certificate as provided by the law of the State of Illinois: *Provided*, that any person who shall satisfy the board that he is the lawful possessor of a certificate duly issued by any regularly constituted Board of Examiners of Plumbers in the State of Illinois after a proper examination, shall be entitled to carry on or work at the business of plumbing in the City of Bloomington: *Provided, further*, that before engaging in or working at said business he shall give a bond to the City of Bloomington as herein provided for applicants for certificates.

349. Penalty.] § 5. Any person, firm or corporation engaging in or working at the business of plumbing, either as master plumber, employing plumber or journeyman plumber, without first obtaining a certificate shall be fined not less than five dollars nor more than fifty dollars for each violation hereof.

350. Bond.] § 6. Before any certificate shall be granted to any person to engage in or work at the business of plumbing in the city of Bloomington as master plumber, or employing plumber, the applicant shall execute a bond payable to the City of Bloomington, with sureties to be approved by the council, conditioned that he will indemnify and save harmless the City of Bloomington from all accidents or indemnities caused by any negligence in either the execution or protection of his work, or from any unfaithful or inadequate work done under or by virtue of his license, and that said licensee also shall conform to all the ordinances, conditions and requirements of the city, and in default thereof shall submit to such penalties as are or may be prescribed by law or ordinance.

The said bond shall be in the penal sum of three thousand dollars.

351. Certificate—Cancellation and Suspension.] § 7. The said board of examiners may, after notice and opportunity to be heard, suspend any certificate for a definite period, or cancel the same, if the party is found guilty of violating the rules and regulations duly established by the council governing such work, or if he be found guilty of exacting extortionate prices for his work, or is found to be a person unfit or unworthy of being trusted or employed at the work of plumbing or drain or sewer laying. Work done by any uncertified plumber or by any one whose certificate has expired, been suspended or canceled, shall not be inspected or accepted by the Inspector of Plumbing, nor shall the water be turned on for any work done by any such plumber. No certificate shall be transferable, and if found in the possession of one not entitled to the same it shall be taken up and canceled by said board.

352. Bond from Person Doing Own Work.] § 8. Any person desiring to do his own plumbing work upon property owned or controlled by him, besides conforming to all other requirements concerning plumbing and plumbing work, shall execute a bond, payable to the City of Bloomington, in the penal sum of one thousand dollars, with sureties to be approved by the council, conditioned that he will indemnify and save harmless the City of Bloomington from all accidents or indemnities caused by any neglect in either the execution or protection of his work or from unskilful or inadequate work.

ARTICLE XVII.

SEALER OF WEIGHTS AND MEASURES.

Section.		Section.	
353.	Sealer of Weights and Measures—Office Created—Appointment — Term—Other Designation.	362.	Power to Seize False Instruments or Commodities—Liability—Destruction.
354.	Assignment.	363.	Inspection—Place of.
355.	Inspector of Health and Food to Act as—No Additional Compensation.	364.	Inspection—Duty of Owner to Have.
356.	Bond.	365.	Inspection—Sealer to Make on Notice of Inaccuracy.
357.	Inspections—What Subject to—Time of—Approval or Condemnation.	366.	Inspection Required Before Use.
358.	Standard of Weights and Measures Adopted.	367.	Condemned Instrument—Not to be Used.
359.	Record.	368.	Inspection—Hindering or Refusing to Allow.
360.	Instruments and Devices Approved—Seal and Certificate.	369.	Seal and Certificate—Concealing, Altering or Defacing.
361.	Instruments and Devices Condemned — Stamp and Notice—Seizure.	370.	Standards—To be Procured When Council Directs.
		371.	Monthly Reports.
		372.	Penalty.

353. Sealer of Weights and Measures—Office Created—Appointment —Term—Other Designation.] § 1. There hereby is created the office of Sealer of Weights and Measures, who shall be appointed annually by the Commissioner of Public Health and Safety, with the approval of the council, on the first day of May or as soon thereafter as may be. He shall hold his office for the term of one year, or until his successor is appointed and has qualified. He also shall be known as City Sealer.

354. Assignment.] § 2. The Sealer of Weights and Measures shall be under the supervision and control of the Commissioner of Public Health and Safety, and in addition to the duties prescribed in this article, he shall perform such other duties as may be required of him from time to time by the council or said commissioner.

355. Inspector of Health and Food to Act as—No Additional Compensation.] § 3. Until otherwise provided by the council the Inspector of Health and Food shall be, *ex officio*, Sealer of Weights and Measures. As such the said inspector shall have all the powers and perform all the duties of said Sealer of Weights and Measures. He shall receive no further salary or compensation as *ex officio* City Sealer than is provided for his office as Inspector of Health and Food.

356. Bond.] § 4. Before entering upon the duties of his office the said sealer shall execute and deliver a bond payable to the City of Bloomington in the penal sum of one thousand dollars, with sureties to be approved by the council, conditioned upon the faithful performance of the duties of his office: *Provided*, that no additional bond than the one already given for his office shall be required of the Inspector of Health and Food when he acts as such *ex officio* Sealer of Weights and Measures.

357. Inspections—What Subject to—Time of—Approval or Condemnation.] § 5. It shall be the duty of said City Sealer to inspect and examine at least once in each half of each fiscal year all weights, measures, scales, scale beams, balances, patent balances, steelyards, automatic or computing scales and all other instruments and devices used for weighing or measuring any article or articles, goods, merchandise or commodities intended to be sold or purchased in said city, or used for the purpose of weighing or measuring for hire, gain or reward.

He shall stamp with a suitable seal all such instruments and devices which he may find accurate and correct and to conform to the standards herein adopted, and he shall provide and deliver to the owner or person entitled thereto a certificate of accuracy, correctness and conformity of such instruments and devices, or condemn any such instrument or device as may be found to be inaccurate, incorrect and not in conformity with such standards. He shall do all other things required to carry into effect the provisions of this article.

358. Standard of Weights and Measures Adopted.] § 6. The standard of weights and measures prescribed by the laws of the State of Illinois hereby are adopted and declared to be the standard weights and measures of the City of Bloomington, and all weights and measures inspected and examined by said sealer shall be compared with such standard, and none shall be deemed to be correct or accurate unless it conforms to such standard.

359. Record.] § 7. The said Sealer of Weights and Measures shall keep a record of all the aforesaid instruments and devices inspected and sealed by him, and shall enter in such record the date of inspection, the name of the owner, agent or person in charge of the inspected instrument or device, and the kind and character thereof.

360. Instruments and Devices Approved—Seal and Certificate.] § 8. Whenever said sealer upon inspection shall find any such instrument or device is accurate and correct and conforms to the standards herein adopted, he shall place thereon a permanent seal, which seal shall have thereon the letters C. B., which shall mean the City of Bloomington, and the day and year such inspection is made.

At the same time he shall make out and deliver to the owner, agent or person in charge of such instrument or device a certificate of such inspection, which certificate shall give the name of the person, firm or corporation to whom delivered, the kind and character of the weight or measure inspected and sealed, the date of such inspection and sealing, and a statement that said instrument or device is accurate and correct and conforms to the aforesaid standard at the date of such certificate.

361. Instruments and Devices Condemned—Stamp and Notice—Seizure.] § 9. Whenever upon inspection any such instrument or device is found to be inaccurate, incorrect and not in conformity with the aforesaid standard, the said City Sealer shall mark such weight or measure "Condemned" with a stamp provided for that purpose, and shall make out and deliver to the owner, agent or person in charge a notice stating that unless such instrument or device is made accurate and correct within ten days that the said sealer, in his discretion, will seize and remove such condemned instrument or device.

Unless such notice be complied with it shall be the duty of said sealer to seize and remove such instrument or device.

362. Power to Seize False Instruments or Commodities—Liability—Destruction.] § 10. Said City Sealer shall have the power and authority to seize and hold for use as evidence in any suit brought under this article any aforesaid instrument or device, or any commodity or article of merchandise sold, offered or exposed for sale which is of less weight or measure than it is represented to be by the vendor, his agent or employee. Such faulty or incorrect instrument or device, or such commodity or article of merchandise, except perishable commodities or merchandise which shall become of no value, shall be released and returned to the owner thereof if no suit against such owner is commenced within ten days from the date of such seizure.

The said sealer shall not be liable to the owner of the property seized for damages caused by such seizure in any case where in fact any such measure is short, or reasonable grounds exist for believing it so to be; or any weight, scale or other instrument is faulty or incorrect, or reasonable grounds exist for believing it so to be; or any such scale, weight or measure, or any commodity or article of merchandise, of less weight or measure than it is represented, or reasonable grounds exist for believing it to be so.

Upon the conviction of the defendant the court shall cause any such instrument or device in respect whereof the defendant stands convicted, and which remains in the possession or under the control of the prosecutor or sealer, to be destroyed.

363. Inspection—Place of.] § 11. Said sealer shall inspect and examine all such instruments and devices at the stores or places of business where the same are being used: *Provided*, that all itinerant peddlers and hawkers and all persons, firms or corporations having no regular place of business, and using any such instrument or device, shall take the same to the office of the said sealer once each six months and have the same inspected and sealed before any use is made thereof; and if any such instrument or device is of such great bulk or weight as to render it impracticable to transport the same to the office of the said sealer such owner may have the same inspected and sealed by giving the sealer three days' notice in writing where within the city such instruments and devices can be found.

364. Inspection—Duty of Owner to Have.] § 12. Every person, firm or corporation owning, controlling or using any such instruments or devices shall cause the same to be inspected and sealed by the said Sealer of Weights and Measures as provided in this article.

365. Inspection—Sealer to Make on Notice of Inaccuracy.] § 13. Whenever it shall come to the knowledge of or be reported to the said sealer that any such instruments or devices previously inspected are or are claimed to be inaccurate, incorrect and not in conformity with the standard, it shall be his duty immediately to inspect such instruments and devices, and to proceed therein as in case of a regular inspection.

366. Inspection Required Before Use.] § 14. It shall be unlawful for any person, firm or corporation to use or put in use any such instrument or device which has not been inspected and sealed by the Sealer of Weights and Measures as required by this article.

367. Condemned Instrument—Not to be Used.] § 15. It shall be unlawful for any person, firm or corporation to use, maintain or operate any such instrument or device which shall be inaccurate or incorrect, or which shall have been condemned as herein provided by the City Sealer.

368. Inspection—Hindering or Refusing to Allow.] § 16. It shall be unlawful for any person, firm or corporation to refuse to exhibit and allow the inspection of any such instrument or device, or in any manner to obstruct, hinder or molest the said sealer in the performance of any of his duties.

369. Seal and Certificate—Concealing, Altering or Defacing.] § 17. It shall be unlawful for any person, firm or corporation to remove, conceal or in any manner deface or alter any seal placed upon any such instrument or device by said sealer, or to alter or in any manner deface or change the certificate delivered by said sealer.

370. Standards—To be Procured When Council Directs.] § 18. Whenever so directed by the council the Commissioner of Public Health and Safety shall procure at the expense of the city correct and approved standards of weights and measures of the standard adopted by the State of Illinois, and herein adopted, with the necessary subdivisions thereof, together with the proper beams and scales for the purpose of testing and proving the weights and measures of said standard.

371. Monthly Reports.] § 19. The said Sealer of Weights and Measures shall report in writing monthly to the Commissioner of Public Health and Safety on or before the first day of each month, giving a detailed statement of the work performed by him, and such report shall be laid before the council at its next meeting by the said commissioner.

372. Penalty.] § 20. Every person, firm or corporation violating any of the provisions of this article, or who shall fail or refuse to comply therewith, shall be fined not less than five dollars and not more than fifty dollars for each offense.

CHAPTER VI.

DEPARTMENT OF STREETS AND PUBLIC IMPROVEMENTS

Article.

1. Commissioner of Streets and
Public Improvements.
2. City Engineer.

Article.

3. City Weighmasters.
4. City Forester—Trees.

ARTICLE I.

COMMISSIONER OF STREETS AND PUBLIC IMPROVEMENTS.

Section.

373. Commissioner of Streets and
Public Improvements —
General Powers and Duties
—Subordinates.

Section.

374. Bond.
375. Annual Estimate.

373. Commissioner of Streets and Public Improvements—General Powers and Duties—Subordinates.] § 1. The Commissioner of Streets and Public Improvements shall have authority over and charge of all public work; the cleaning, sprinkling and repairing of all streets and public places; the entire erection, making and reconstruction of all street improvements, paving, curbing, sidewalks, sewers, bridges, viaducts subways, water mains, and all other public improvements, and of the repair thereof, unless otherwise provided by law, except the repair of water mains.

He shall approve the estimates of the City Engineer which may be made from time to time of the cost of such work as the same progresses, and shall recommend to the council the acceptance of work done or improvements made when completed according to contract.

He shall have charge of enforcing all provisions relative to public service utilities and all persons or corporations rendering service in the city under any franchise, grant or contract made or granted by the city or State, and shall report to the council or other proper officer any failure of said persons or corporations to render service or to observe the requirements or conditions of the franchise, grant or contract under which such public utility is operated

The City Engineer and Engineer's Department, the city yards and all employees therein, the overseer of streets, the street department and all employees therein, all sidewalk and sewer work, and all officers and

employees employed in connection with the work of his department, and all property and apparatus used therein, shall be under the supervision and control of the Commissioner of Streets and Public Improvements, and hereby are apportioned and assigned to the Department of Streets and Public Improvements.

374. Bond.] § 2. Before entering upon the duties of his office, he shall execute a bond payable to the City of Bloomington in the penal sum of five thousand dollars, with sureties to be approved by the Judge of the County Court of McLean County, Illinois, conditioned upon the faithful performance of the duties of his office. Said bond shall be filed in the office of the County Clerk of McLean County, Illinois.

375. Annual Estimate.] § 3. The Commissioner of Streets and Public Improvements shall prepare and submit to the Commissioner of Accounts and Finances, before the first day of May of each year, an estimate of the whole cost of maintaining his department, including all sub-departments and activities under his control and supervision, during the succeeding fiscal year, which estimate shall be in detail, and among other things shall contain a statement, as near as can be estimated, of the repairs and improvements necessary to be undertaken by the city during the succeeding fiscal year the cost of which is to be paid for out of the general corporate fund, and of the cost of such repairs and improvements, as near as the same can be ascertained; and also a statement of any necessary or desired improvements, with the probable expense thereof; and of all contracts made and unfinished, and the amount of any and all unexpended balances, and on what account; of the appropriations of the preceding year or years, which said statement or report shall be laid by the Commissioner of Accounts and Finances before the council at the same time that the annual estimate of the said Commissioner of Accounts and Finances is laid before the council.

ARTICLE II.

CITY ENGINEER.

Section.	Section.
376. City Engineer—Office Created—Appointment —Term.	385. Sewers and Drains—Connections—Permit.
377. Bond—Oath.	386. Penalty for Connecting with Sewers, etc., Without Permit.
378. General Duties.	387. Connecting with Sewers—How Authorized.
379. Assistants.	388. Sewers—Rights Reserved.
380. Duties.	389. Permits — Furnishing of — Form—Use.
381. Surveying Streets.	390. Digging in Streets, etc.,—Permit —Deposit—Replacing.
382. Survey to be Made by Engineer.	
383. Plans, Profiles and Specifications of Improvements.	
384. Charge of Sidewalks and Sewers.	

391. Record of Permits and of Sewer Service Pipes Constructed by City—How to be Kept — Monthly Accounting.
392. Records.
393. Settlements to be Made Monthly.

376. City Engineer — Office Created—Appointment—Term.] § 1. There hereby is created the office of City Engineer, who shall be appointed annually by the Commissioner of Streets and Public Improvements, with the approval of the council, on the first day of May, or as soon thereafter as may be. He shall hold his office for the term of one year, and until his successor is appointed and has qualified.

377. Bond—Oath.] § 2. Before entering upon the duties of his office he shall take the oath prescribed by law for all city officers and shall execute and deliver a bond payable to the City of Bloomington in the penal sum of five thousand dollars, with sureties to be approved by the council, conditioned upon the faithful performance of the duties of his office. He shall receive such salary or compensation as may be provided by ordinance.

378. General Duties.] § 3. He shall perform such duties as are provided by law and ordinance, and in addition thereto such other duties as from time to time may be imposed upon him by the council or the Commissioner of Streets and Public Improvements.

379. Assistants.] § 4. The City Engineer shall have such assistants as the Commissioner of Streets and Public Improvements shall designate, which assistants shall be appointed by the Commissioner of Streets and Public Improvements, with the approval of the council.

380. Duties.] § 5. When so ordered by the council the City Engineer shall ascertain and establish the grade of every street, avenue, lane, or other public place or square within the corporate limits of the City of Bloomington, and mark the grade of any such street, lane, avenue, alley or public square in some substantial and permanent manner. He shall, from time to time examine all public works in the course of erection, and shall preserve and file in his office, in a manner convenient for reference, all the plats, surveys, maps, papers and books pertaining to his office. He shall also make the necessary surveys of streets, lanes, avenues, alleys and public squares, and all other surveys required by the city, and shall mark the line of any lot on any public property; make correct levelings of all streets, lanes, avenues and alleys, the grade whereof is not yet established, and leveling plans and estimates of any street, lane, alley or avenue the grading whereof shall be changed or altered; make such land marks, either for surveying or leveling, by planting stones, stakes or otherwise, as he shall deem necessary or useful in field operations, and mark out all streets, lanes, avenues and alleys authorized to be opened by the ordinances of said city; he shall construct and keep in his office a corrected map of the city, showing

thereon the several additions thereto, the streets, lanes, avenues, alleys, squares, buildings, city property and bridges, and generally all such conspicuous and permanent topographical information as he shall deem necessary, and from time to time correct or alter the same as circumstances may require; he shall repair all sidewalks and pavements where the repairs are slight and a new walk or pavement is not required; he shall also report to the Commissioner of Streets and Public Improvements the last of each month a general abstract of all his operations since the previous report, the work executed, and which remains to be executed, and such other information as he shall deem of interest to the city, or the said commissioner may require.

381. Surveying Streets.] § 6. Whenever any new street, lane, avenue or alley is established, or any alteration made in the existing streets, lanes, avenues or alleys, or any addition is made to the City of Bloomington, the engineer shall survey the same by running the center line thereof and noting the width of the street on each side of the line, the intersection of certain streets therewith, and shall make levelings thereof, and report to the Commissioner of Streets and Public Improvements a plan and measurement for the grade thereof and the grade of the intersections therewith.

382. Survey to be Made by Engineer.] § 7. The said engineer shall do and perform within said city all engineering and surveying, and such other duties pertaining to his office as may hereafter from time to time be prescribed by ordinance, resolution or order of the council; he shall designate when requested by any person about to build a house or erect a fence or grade or make a sidewalk, the line of the street, lane, avenue or alley, on which such house or fence is to be erected or sidewalk made, and also the grade of such street, lane, avenue or alley, and he shall superintend the construction and repairs of all sidewalks in said city, and see that the work is done in accordance with the ordinances relative thereto.

383. Plans, Profiles and Specifications of Improvements.] § 8. Whenever any public improvement shall be ordered by the council, a plan or profile of such public improvement, accompanied with specifications for doing of the same as prescribed by the ordinance of the council ordering such improvement, shall be made and placed on file in the office of the Commissioner of Accounts and Finances, which said plan, profile and specifications at all times shall be open for public inspection in said office, and no contract shall be let for the making of any public improvement except in the manner prescribed by ordinance.

384. Charge of Sidewalks and Sewers.] § 9. All sidewalks, sewers culverts and drains now made, or hereafter to be made, in any of the streets, avenues, alleys or other public places in the city, shall be under the charge of the Department of Streets and Public Improvements, which department is charged with the duty of keeping the same in good condition and repair, and to see that the same are kept free from all obstructions,

and the city engineer shall cause such repairs thereof, and of the catch basins, culverts and openings connected therewith, as may from time to time become necessary.

385. Sewers and Drains—Connections—Permit.] § 10. The City Engineer, under the direction of the Commissioner of Streets and Public Improvements, shall prescribe the manner and point of piercing and opening any of the sewers or drains in any of the public streets or public places of the city, and the form, size and material of the connection made therewith, and shall have authority to grant permits to make lateral connections with said sewers, which said permit when granted to any person or persons shall specify the point in such sewer such lateral connections shall be made, the form, size and material to be used in making such connections, how the same shall be connected at each end of such lateral, the hour of the day when the street or public thoroughfare may be dug up for such purpose and the property for which such connection is made. Said permits shall be granted subject to the wishes and desires of the council in said matter, and the council may at any time revoke any such permission or may make special restrictions regarding the same.

386. Penalty for Connecting With Sewers, etc., Without Permit.] § 11. No connection shall be made with any sewer or drain in any of the public streets, avenues, alleys or other public places in said city without the written permit of the City Engineer as provided in the foregoing section. Any person making, attempting to make, or directing or ordering the making of any connection or opening into any such sewer or drain without first having obtained such permission, or having obtained such permission, makes such connection in a manner different from the mode prescribed in such permit issued by said City Engineer, shall be fined not less than ten dollars or more than fifty dollars.

387. Connecting With Sewers—How Authorized.] § 12. The City Engineer may, when authorized by the council, grant permission to persons to construct, at their own expense, sewers or drains, to lay pipes to connect with any sewers or drains built in any of the streets, avenues, alleys or public places in the city, in the manner and subject to the provisions herein prescribed, and also subject to the further provision that such persons will indemnify the City of Bloomington against any loss or damage which it may sustain by reason of injuries resulting from the work so permitted to be done.

388. Sewers—Rights Reserved.] § 13. No person, firm or corporation constructing any work under the provisions of the preceding section of this article shall have any claim against the city if the work so permitted at any time after the same may be completed is ordered to be taken up by the authority of the council; nor shall any such person, firm or corporation have any exemption from an assessment lawfully imposed for constructing sewers or drains in the vicinity of their property, and the constructing of any sewers or drains by any person, firm or corporation

under the provision of the preceding section of this article shall be deemed and taken as an acquiescence in the provisions of this section, whether the same be set forth in the permit of the engineer authorizing such work or not, and shall be binding upon the heirs, administrators, successors or assigns of any such person, firm or corporation.

389. Permits—Furnishing of—Form—Use.] § 14. It is hereby made the duty of the City Engineer to provide the city at its expense with permits to be used for the purposes herein specified. Said permits shall be made in book form, well bound and numbered in duplicate from one upwards, and shall contain upon their face a brief summary of the provisions of the preceding sections. Upon application to the engineer by any person for such permit, he shall fill out the same in duplicate to the person, firm or corporation applying therefor, which duplicates shall be signed by the engineer, and the person, firm or corporation asking such permit, one of which shall be delivered to the applicant and the other to remain undetached in the said book of permits in the office of said engineer, and shall be by him safely kept for any future use or reference by the city.

390. Digging in Streets, etc.—Permit—Deposit—Replacing.] § 15. No person shall dig up or open any street, avenue, alley, sidewalk, parking or other public place, except parks, pleasure grounds and other premises under the control of the Commissioner of Public Property, without first obtaining a permit from the City Engineer.

No such permit shall be granted until the applicant therefor, in addition to complying with all of the requirements of this article, shall deposit with said engineer a sum of money sufficient to cover the expense of replacing the ground, including pavement, walks, etc., in as good condition as before the same was dug up or opened. The amount of said deposit shall be ascertained by the engineer, and in all cases shall be fixed at the lowest sum for which said repairing or replacing can be properly done. Said repairing or replacing shall be done by the city under the direction of the City Engineer, and the actual cost thereof shall be borne by the person upon whose request such digging or opening is done.

391. Record of Permits and Sewer Service Pipes Constructed by City—How to be Kept—Monthly Accounting.] § 16. The City Engineer shall keep a record, in plain and permanent manner, of all permits granted by him to any person, firm or corporation, for any of the purposes specified in this article, in which he shall enter the name of the person, firm or corporation to whom such permit was issued, for what purpose, the amount of moneys received, and from whom for the replacing or repairing of any street, avenue, alley or other public place dug up or disturbed under such permit, and the amount of moneys received, and from whom, as engineer's fees on account of estimates furnished by said engineer. He shall also keep or cause to be kept in a book prepared for that particular purpose a record of all sewer service pipes and the exact location of the same.

392. Records.] § 17. It shall be his duty to provide himself at the expense of the city with well bound books in which he shall carefully

and legibly record and write down every leveling made by him and every grade as established by ordinance, and such records shall be subject to the inspection of any person who may think himself interested.

In addition to the foregoing records it shall be the duty of the City Engineer to keep records of all plats or subdivisions of property in the city.

393. Settlements to be Made Monthly.] § 18. It shall be the duty of said engineer to make monthly reports to the Commissioner of Accounts and Finances of all moneys received by him in his official capacity, and to pay over to said commissioner at such time all such funds.

ARTICLE III.

CITY WEIGHMASTERS.

Section.	Section.
394. City Weighmasters — Offices Created—Number.	403. Certificate of Weight—Purchaser—Penalty.
395. Appointment—Term.	404. Sale Without Weighing—Penalty.
396. Bond—Oath.	405. Care of Scales.
397. General Duties.	406. Weight per Bushel and Barrel of Certain Articles Fixed.
398. Other Scales Prohibited — Penalty.	407. Weight—Computation of.
399. Hay, Straw, Coal or Coke—Weighing—Penalty.	408. Compensation of Weighmasters.
400. Fee for Weighing.	409. Use of Streets—Penalty.
401. Record—Certificate.	
402. Method to be Used in Weighing.	

394. City Weighmasters—Offices Created—Number.] § 1. There hereby are created the offices of City Weighmasters, to such a number as the council may from time to time provide by ordinance or resolution. Until otherwise so provided by the council there shall be one City Weighmaster, and he shall have charge of the city scales.

395. Appointment—Term.] § 2. All such officers shall be appointed annually by the Commissioner of Streets and Public Improvements, with the approval of the council, on the first day of May or as soon thereafter as is practicable. They shall hold their offices for the period of one year, or until their respective successors are appointed and have qualified.

396. Bond—Oath.] § 3. Before entering upon the duties of their respective offices, all weighmasters shall take the oath prescribed for all city officers, and shall execute and deliver a bond payable to the City of Bloomington, in the penal sum of one thousand dollars, with sureties to be approved by the council, conditioned upon the faithful performance of the duties of their respective offices. They shall receive such salary or compensation as may be provided by ordinance.

397. General Duties.] § 4. City Weighmasters shall perform such duties as may be provided by law or ordinance, and in addition thereto such other duties as from time to time may be imposed upon them by the council or the Commissioner of Streets and Public Improvements.

398. Other Scales Prohibited—Penalty.] § 5. No person shall use or keep any scale in any public place, street or alley in the City of Bloomington for weighing any substance or thing for the public, except City Weighmasters who have complied with the provisions of this article, and any person violating any provisions of this article, relative to weighmasters, where no other penalty is prescribed, shall forfeit and pay a sum not exceeding fifty dollars for each offense.

399. Hay, Straw, Coal or Coke—Weighing—Penalty.] § 6. Hereafter it shall not be lawful within the corporate limits of said city for any person to sell, offer for sale, dispose of, or deliver after the same has been sold, any load or loads of hay, straw, coke, or bituminous or anthracite coal, without first having the same weighed on the city scales, or other scales in charge of a City Weighmaster, and obtaining from the weighmaster of the scales upon which the same may be weighed a certificate of the weight of such load of hay, straw, coke or coal.

400. Fee for Weighing.] § 7. The price for weighing any load of any article shall be ten cents a load, which sum shall be paid by the person in charge of the load to the weighmaster before he shall give the certificate required in the preceding section.

401. Record—Certificate.] § 8. It shall be the duty of each weighmaster to keep a book in which he shall enter the number of loads of all articles weighed by him, and give under his hand a certificate stating the name of the owner or agent of the article weighed, the weight of the same, and the day upon which the same was weighed, and also the number of pounds of hay, straw, coke or coal contained in such load, and the number of pounds or bushels, as may be requested, of other articles in any load.

The said certificate shall be made out in triplicate, one to be retained for the use of the city, and two to be given to the person in charge of the load.

402. Method to be Used in Weighing.] § 9. It shall be the duty of every weighmaster who shall weigh any loaded wagon, truck or sled to weigh such wagon, truck or sled in an unloaded condition either before or after the weighing of said load, and he shall include in the certificate provided for in this article the gross weight, the weight of said vehicle and the net weight of the load. No certificate shall be issued by any weighmaster until he has so weighed the said vehicle in an unloaded condition.

403. Certificate of Weight—Purchaser—Penalty.] § 10. Every person in charge of a wagon or other vehicle containing hay, straw, coke or coal for sale shall deliver to the purchaser of the same the certificate which he received from the weighmaster, and the purchaser shall either retain or receipt the same for the delivery of the load for which such certificate was made; and every person in charge of a load of hay, straw, coke or coal who shall fail or refuse to deliver up the certificate to the purchaser, or who shall in any manner alter or change said certificate, or sell more than one load of hay, straw, coke or coal on the same certificate, shall forfeit and pay not less than three dollars nor more than fifty dollars for each offense; and any purchaser who shall return the said certificate to the person from whom he purchased the load, without receipting the same as aforesaid shall forfeit and pay not less than one dollar nor more than twenty-five dollars for every offense.

404. Sale Without Weighing—Penalty.] § 11. Every person who shall sell, offer for sale, dispose of or deliver after the same has been sold, any load or loads of hay, straw, coke or coal, without first having the same weighed upon any of the scales aforesaid and paying for and procuring the certificate aforesaid, shall for every offense forfeit and pay the sum of five dollars.

405. Care of Scales.] § 12. It shall be the duty of the weighmasters at least once in every month to test and clean their respective scales at their own expense; and any weighmaster neglecting or refusing to comply with this section may be removed from office and the privilege of further using the public streets for his scales may be withdrawn.

406. Weight per Bushel and Barrel of Certain Articles Fixed.] § 13. Whenever any of the following articles shall be contracted for or sold or delivered, and no special contract or agreement shall be made to the contrary, the weight per bushel or barrel, or divisible merchantable quantities of a barrel, shall be as follows:

- Wheat flour, per barrel, 196 pounds.
- Wheat flour, per half barrel, 98 pounds.
- Wheat flour, per quarter barrel, 49 pounds.
- Wheat flour, per eighth barrel sack, 24 1-2 pounds.
- Corn meal, per bushel, 48 pounds.
- Corn meal, per half bushel, 24 pounds.
- Corn meal, per quarter bushel, 12 pounds.
- Stone coal, per bushel, 80 pounds.
- Unslacked lime, per bushel, 80 pounds.
- Corn in the ear, per bushel, 70 pounds.
- Wheat, per bushel, 60 pounds.
- Irish potatoes, per bushel, 60 pounds.
- White beans, per bushel, 60 pounds.
- Clover seed, per bushel, 60 pounds.
- Onions, per bushel, 57 pounds.

Shelled corn, per bushel, 56 pounds.
 Rye, per bushel, 56 pounds.
 Flax seed, per bushel, 56 pounds.
 Sweet potatoes, per bushel, 50 pounds.
 Turnips, per bushel, 50 pounds.
 Fine salt, per bushel, 50 pounds.
 Buckwheat, per bushel, 52 pounds.
 Coarse salt, per bushel, 55 pounds.
 Barley, per bushel, 48 pounds.
 Castor beans, per bushel, 46 pounds.
 Timothy seed, per bushel, 45 pounds.
 Hemp seed, per bushel, 44 pounds.
 Malt, per bushel, 38 pounds.
 Dried peaches, per bushel, 33 pounds.
 Oats, per bushel, 32 pounds.
 Dried apples, per bushel, 24 pounds.
 Bran, per bushel, 20 pounds.
 Blue grass seed, per bushel, 14 pounds.
 Hair, plastering, unwashed, per bushel, 8 pounds.

407. Weight—Computation of.] § 14. The weight or quantity of all articles shall be computed in accordance with the laws of this state in relation to weights and measures.

408. Compensation of Weighmasters.] § 15. All city weighmasters appointed under the provisions of this article shall be entitled to retain as their compensation all of the receipts of the scales under their control.

409. Use of Streets—Penalty.] § 16. It shall not be lawful for any person in said city having wood, coal, coke, grain, hay or straw in market for sale by the wagon or cart load, or loaded in or upon any other vehicle, to stop or wait with the same for a purchaser on any street, lane or avenue, alley or public ground of said city; nor shall any wagon loaded with loose hay, grain in sheaf, or straw be permitted to come upon any street in said city within a radius of four blocks of the public square, except to deliver the same to any stable within said prescribed limits.

Nor shall any such wagon remain in the public streets or alleys between sunset and sunrise.

ARTICLE IV.

CITY FORESTER—TREES

Section.	Section.
410. City Forester—Office Created —Appointment — Term— Assignment.	413. When His Approval Required.
411. Compensation—Bond.	414. Shall Advise Commissioners —Instruction of Property Owners.
412. Duties.	

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| 415. Appeal to City Forester. | 419. Certain Trees Prohibited. |
| 416. Authority Limited. | 420. Trees Over Streets and Side- |
| 417. Planting Trees in Public | walks—Trimming. |
| Grounds—Permit. | 421. Injury to Trees, etc., Pro- |
| 418. Manner and Location of | hibited Without Permit. |
| Planting. | 422. Penalty. |

410. City Forester—Office Created—Appointment—Term—Assignment.] § 1. There hereby is created the office of City Forester, who shall be appointed annually by the Commissioner of Streets and Public Improvements, with the approval of the council, on or before the first day of May, or as soon thereafter as may be. He shall hold his office for the term of one year, and until his successor is appointed and has qualified. He shall be under the supervision and control of the Commissioner of Streets and Public Improvements.

411. Compensation—Bond.] § 2. The City Forester shall receive no compensation, and shall not be required to give bond.

412. Duties.] § 3. The City Forester shall advise as to the care and preservation of all trees and shrubbery in all parks, park ways, streets, avenues, boulevards and driveways in the city, and in all matters and things pertaining to Forestry.

413. When His Approval Required.] § 4. No trees or shrubbery under the care and control of the Department of Streets and Public Improvements or the Department of Public Property shall be planted, cut down, uprooted or destroyed without the advice of the City Forester: *Provided*, that the City Forester shall not have power to interfere with any such acts done in pursuance of any permits or orders issued by the Commissioner of Streets and Public Improvements or the Commissioner of Public Property.

414. Shall Advise Commissioners—Instruction of Property Owners.] § 5. The City Forester at all times shall be ready to give the Commissioner of Streets and Public Improvements and the Commissioner of Public Property scientific advice on all forestry matters, and shall, with the assistance of the said Commissioner of Streets and Public Improvements and Commissioner of Public Property, endeavor to instruct and educate property owners in the varieties of trees best fitted for use in the city, together with their care.

415. Appeal to City Forester.] § 6. In case any property owner is dissatisfied with the decision of the Commissioner of Streets and Public Improvements or the decision of the Commissioner of Public Property in matters of forestry pertaining to the property of said property owner, said property owner may appeal from the judgment of said Commissioner to the City Forester, whose decision shall be final: *Provided*, that there shall

be no appeal to the City Forester as aforesaid in cases where there is concerned a public improvement made or ordered by the City of Bloomington.

416. Authority Limited.] § 7. The said City Forester shall have no power to order work to be done, but his authorities and duties are limited to advising as to matters of forestry.

417. Planting Trees in Public Ground—Permit.] § 8. No person shall plant or set out trees in any street, lawn, parking or public place without first obtaining a permit so to do from the Commissioner of Streets and Public Improvements or the City Forester.

418. Manner and Location of Planting.] § 9. All trees planted or set out in any lawn or parking by any person under such permit shall be placed inside the curb line at least one-third of the distance from the said curb line to the sidewalk, and not closer together than the distance of twenty feet. When set out in places other than the lawn or parking between the curb line and sidewalk, all said trees shall be located at a point which shall be designated in said permit.

When in the improvement of any of the streets or avenues of said city, a park or lawn is established in the sidewalk space between the curb line and lot line, trees may be placed or set in such park or lawn at such distance from said curb line and in such manner as the said Commissioner of Streets and Public Improvements or the City Forester shall designate in said written permit.

419. Certain Trees Prohibited.] § 10. No box elders or Carolina poplars hereafter shall be set out or planted in any street, avenue, lawn, parking or other public place.

420. Trees Over Streets and Sidewalks—Trimming.] § 11. It shall be the duty of the owner or occupant of all premises now having trees in any streets, lawns, parkings or public places of the city, or extending over any such places, or who may hereafter set out, maintain or cultivate trees in any such locations, to cultivate and maintain the same in such a manner that they will not interfere with the free and unimpeded use of any street, sidewalk or public way.

All such owners or occupants shall keep the boughs and branches of such trees trimmed so that the same will be at least ten feet above the surface of any such street, sidewalk or public way.

421. Injury to Trees, etc., Prohibited Without Permit.] § 12. No person shall cut down, destroy, break or in any way injure any tree, bush or shrub, standing in any street, avenue or public place in the city, except by written permission from the Commissioner of Streets and Public Improvements or the City Forester.

422. Penalty.] § 13. Any person violating any section, or any provision of any section of this article, shall be fined in a sum not less than five dollars nor more than one hundred dollars for each offense.

CHAPTER VII.

DEPARTMENT OF PUBLIC PROPERTY

Article.

1. Commissioner of Public Property.
2. Department of Water and Electricity.
3. Superintendent of Water-Works and Electric Lighting.
4. Rules Governing Use of City Water — Water Meters — Water Rents.

Article.

5. Rules Governing Plumbing in Connection with City Water System.
6. City Electrician and Electrical Work.
7. Parks and Public Grounds.
8. City Cemetery.
9. City Sexton.

ARTICLE I.

COMMISSIONER OF PUBLIC PROPERTY.

Section.

423. Commissioner of Public Property—General Powers and Duties—Subordinates.

Section.

424. Bond.
425. Annual Estimate.

423. Commissioner of Public Property—General Powers and Duties—Subordinates.] § 1. The Commissioner of Public Property shall have charge of and supervision over the City Water Works and Lighting Plant, Superintendent of Water-Works and Electric Lighting, the City Electrician, all city parks, zoological and botanical gardens, and all other parks, play grounds and pleasure grounds within or belonging to the city, and all animals, birds, reptiles, live stock, plants, trees and shrubbery contained therein, together with all officers and employees, including custodians, matrons, and park policemen, employed in and about said parks and pleasure grounds, and of all property belonging to said parks and said pleasure grounds or kept or used in connection therewith.

He shall have charge of and supervision over all city cemeteries, and the City Sexton.

He shall have charge of and supervision over the improvement, maintenance, lighting and care of said parks, pleasure grounds and cemeteries, and of the buildings therein or thereon.

He shall have charge of and supervision over all boulevards and street parkings and parkways.

He shall have charge of and supervision over the fire alarm system and all property and apparatus belonging thereto.

He shall have charge of and supervision over all city property not otherwise assigned by law or ordinance.

He shall have such assistance from the City Engineer as may be necessary in surveying and laying out improvements and otherwise improving the parks, and may, on application, receive assistance from other officers and departments of the city.

424. Bond.] § 2. Before entering upon the duties of his office the Commissioner of Public Property shall execute and deliver a bond in the form prescribed by law, payable to the City of Bloomington, in the penal sum of five thousand dollars, with sureties to be approved by the Judge of the County Court of McLean County, Illinois. Said bond shall be filed in the office of the County Clerk of McLean County, Illinois.

425. Annual Estimate.] § 3. The Commissioner of Public Property shall prepare and submit to the Commissioner of Accounts and Finances before the first day of May of each year, an estimate of the whole cost of maintaining his Department, including all sub-departments and activities under the control and supervision of the said Commissioner of Public Property, during the succeeding fiscal year, which estimate shall be in detail and shall be laid by the Commissioner of Accounts and Finances before the council at the same time that the annual estimate of the said Commissioner of Accounts and Finances is laid before the council.

ARTICLE II.

DEPARTMENT OF WATER AND ELECTRICITY.

Section.

426. Department of Water and Electricity Created—Membership and Supervision.

426. Department of Water and Electricity Created—Membership and Supervision.] § 1. There hereby is created and established an executive department of the municipal government of the City of Bloomington which shall be known as the Department of Water and Electricity, and shall embrace the Superintendent of Water-Works and Electric Lighting, the City Electrician and such other officers and employees as the council from time to time may provide by ordinance or resolution.

The Department of Water and Electricity shall be under the supervision and control of the Commissioner of Public Property, and hereby is assigned to his department.

ARTICLE III.

SUPERINTENDENT OF WATER-WORKS AND ELECTRIC LIGHTING.

Section.	Section.
427. Superintendent of Water-Works and Electric Lighting—Office Created — Appointment—Term.	430. Power and Authority—Subordinates — Shall Devote Entire Time to Duties.
428. General Duties.	431. Supplies—Manner of Procuring—Account.
429. Bond—Oath.	

427. Superintendent of Water-Works and Electric Lighting—Office Created—Appointment—Term.] § 1. There hereby is created the office of Superintendent of Water-Works and Electric Lighting, who shall be appointed annually by the Commissioner of Public Property, with the approval of the council, on or before the first day of May, or as soon thereafter as may be. He shall hold his office for the term of one year, and until his successor is appointed and has qualified. He shall receive such compensation as may be provided by ordinance. ✓

428. General Duties.] § 2. He shall perform such duties as are imposed upon him by law or ordinance, and in addition thereto such other duties as from time to time he may be directed to perform by the council or Commissioner of Public Property.

429. Bond—Oath.] § 3. Before entering upon the duties of his office, he shall take the oath prescribed for all city officers, and shall execute and deliver a bond payable to the City of Bloomington in the penal sum of five thousand dollars, with sureties to be approved by the council, conditioned upon the faithful performance of the duties of his office.

430. Power and Authority—Subordinates—Shall Devote Entire Time to Duties.] § 4. He shall have, in subordination to the Commissioner of Public Property, full management and control of the water and electrical department of the city, including the fire alarm system, and shall have entire charge, management and control, subject to the supervision of said commissioner, of the grounds, pumping works, electric light plant, machinery, city wells, water mains, distributing pipes, fire hydrants, fountains, electric lamps, carbons, poles and wires, and all other property and effects belonging to the water system and electric lighting system of the City of Bloomington. All engineers, firemen, electric light trimmers, and other persons employed by the city in and about the water and light plant of said city, and assigned to this department, shall be under his supervision and subject to his orders, in subordination to said commissioner, and all repairs in water mains, pipes or machinery shall be under his direct supervision. He shall devote his entire time to the discharge of the duties of his office.

431. Supplies—Manner of Procuring—Account.] § 5. It shall be the duty of the superintendent to procure, upon the requisition of the Commissioner of Public Property, all materials and supplies necessary for the use of the water works system, and all such purchases shall be audited by the said commissioner. The said commissioner shall cause to be kept an accurate account of all purchases so made, and the superintendent shall account to the said commissioner for all supplies procured for the use of his department.

ARTICLE IV.

RULES GOVERNING USE OF CITY WATER—WATER METERS—WATER RENTS.

Section.	Section.
432. Rules Governing Use of City Water.	438. Water Meters—Kind.
433. Applications for Leave to Tap Mains—Permit—Record.	439. May Enter Premises—Defective Meter—Repair of—Penalty.
434. Applications to Use Water—Permit—Record.	440. Where no Meter is Provided—Authority of Commissioner.
435. Record of Service Pipes.	441. Water Rents—Penalty.
436. Chart of Mains, etc., to be Kept.	442. Reading of Meters—Record—Notice—Receipt.
437. Water Meters — Must be Used Except Upon Written Permit.	443. Failure to Pay Water Rent—Penalty.
	444. Penalty.

432. Rules Governing Use of City Water.] § 1. The following rules governing the use of city water hereby are adopted:

First—The material used for service pipe must conform to the standard given in the rules governing plumbers.

Second—Service pipe intended to supply two or more distinct premises or tenements must be provided with separate and distinct stop cocks for each tenement on the outside of the same.

Third—Persons taking water must keep their service pipes connected with mains or supply pipes, and all fixtures connected therewith, in good repair and protected from frost at their own expense, and must prevent all unnecessary waste of water.

Fourth—No addition to or alteration whatever of any tap, pipe, water-cock or other fixture shall be made or caused to be made by any person except through a duly licensed plumber, and a permit first shall be obtained from the Inspector of Plumbing.

Fifth—Hydrants, taps, hose, water closets, urinals, baths or other fixtures shall not be kept running when not in use.

Sixth—The Superintendent or the Commissioner of Public Property may at any time, when in their judgment the public interest requires it, prohibit the use of city water for street or lawn sprinkling purposes or for fountains for such time as they may deem proper. And no person shall so use city water during the time for which such use shall have been so prohibited.

Seventh—In any case where the water has been turned off for any reason provided in this article, and the water is found on, again, or when in the opinion of the Commissioner of Accounts and Finances or the Commissioner of Public Property the turning off of the water on the stop-cock is not a sufficient protection against the further use of the water, it shall be lawful to cause it to be turned off at the ferrule. Upon a re-application for the water when the water has been so turned off at the ferrule, an additional charge covering all the expenses of so turning off the water shall be made.

Eighth—No person shall deposit any earth or other material in any fire plug or hydrant, or in any box or appendage thereto, or turn any private or public stop-cock, or commit any act tending to obstruct the use thereof, or injure in any manner any building, machinery, pipes, apparatus or fixtures of the city water works system. When fire hydrants or plugs are placed on public or private grounds by companies or individuals the use of the same except in case of fire is prohibited.

433. Applications for Leave to Tap Mains—Permit—Record.] § 2. All applications for leave to tap water mains or water pipes connected with the city water works system of the City of Bloomington shall be made to the Inspector of Plumbing who shall issue a permit therefor. He also shall ascertain the cost of the ferrule desired and upon the same being paid for he shall deliver to the applicant the said ferrule. The prices for ferrules shall be established by the Commissioner of Public Health and Safety.

The said inspector shall keep a record in a book kept for that purpose of all permits issued by him, showing the name and residence of the person to whom the same is issued, the date when issued, and the location of the property connected therewith.

434. Applications to Use Water—Permit—Record.] § 3. All applications for leave to use city water on all metered service shall be made to the Commissioner of Accounts and Finances, and he shall issue a permit therefor. He shall keep a record of all such permits issued by him, showing the date when issued, the name and residence of the person to whom issued, and the location of the property connected therewith.

435. Record of Service Pipes.] § 4. The Commissioner of Accounts and Finances shall keep or cause to be kept in a book prepared for that purpose a record of all water service pipes connected with any water main or water pipes forming a part of the water works system of the city, which record shall show the exact location of said service pipes.

436. Chart of Mains, etc., to be Kept.] § 5. The City Engineer shall cause to be prepared a full and complete map or chart showing the location of all mains and distributing pipes belonging to the system of water-works, together with the location of all valves, fire hydrants and fire plugs connected therewith, and shall keep the same corrected to date.

437. Water Meters—Must be Used Except Upon Written Permit.] § 6. No person, firm or corporation shall use any city water that is not measured by a meter unless such use is in pursuance to and in accordance with a written permit issued by the council or the Commissioner of Public Property previous to the time of said using. Whenever any such permit is issued some adequate means of measuring the water so used shall be provided, and the said user shall pay the regular rate as provided by ordinance for consumers using meters.

438. Water Meters—Kind.] § 7. All water meters shall be of the kind designated by the council or the Commissioner of Accounts and Finances.

439. May Enter Premises—Defective Meter—Repair of—Penalty.] § 8. The Commissioner of Accounts and Finances, the Commissioner of Public Property, and any authorized agent of either, shall have free access at all reasonable hours to all parts of any premises to which city water is supplied to make necessary examinations, and in case any water meter is found out of repair, may require the same at once to be repaired or a new one to be provided. Upon failure of the owner to repair such meter or supply a new one, or upon a refusal to permit the above examination, the water shall be shut off from said premises, and shall not be turned on again until such meter is repaired or a new one provided, or in case of refusal to allow an examination, until some satisfactory arrangement has been made concerning future examinations, and not in either case except upon the payment of one dollar for the turning on and off of said water.

440. Where no Meter is Provided—Authority of Commissioner.] § 9. In all cases where the owner of any premises or building supplied with city water shall fail to provide a meter, the Commissioner of Accounts and Finances, at his election, may shut off said water or provide a water meter and charge such additional sum for the water used as he shall fix by general rule applicable to such cases, and the ownership of said meter shall remain in the city.

441. Water Rents—Penalty.] § 10. The rates of taxes for city water shall be ascertained according to the amount of water used during the quarter year for which the charge is made, and shall be graduated as follows:

Less than 25,000 gallons, 35 cents per 1,000 gallons.

From 25,000 to 50,000 gallons, 30 cents per 1,000 gallons.

From 50,000 to 100,000 gallons, 25 cents per 1,000 gallons.

From 100,000 to 250,000 gallons, 20 cents per 1,000 gallons.

From 250,000 to 500,000 gallons, 15 cents per 1,000 gallons.

From 500,000 to 1,000,000 gallons, 12 cents per 1,000 gallons.

Over 1,000,000 gallons, 10 cents per 1,000 gallons.

Provided: That the rate for Brokaw and St. Joseph's Hospitals shall be five cents per one thousand gallons; and the rate for all churches and schools, the Industrial Home, at 403 S. State Street, Bloomington, Illinois, and the Day Nursery Association, at 1320 W. Mulberry Street, Bloomington, Illinois, shall be fifteen cents per one thousand gallons.

The rate in no case shall be less than one dollar per quarter regardless of the amount of water used.

In all cases in which meters fail to work for all or any part of a quarter and the meter reading is less than that for the previous quarter, the rent for the quarter in which the meter failed shall be the amount shown by the records in the office of the Commissioner of Accounts and Finances as charged for the quarter immediately preceding.

If any person, firm or corporation shall neglect to pay his, her or their water rents when due, the Commissioner of Accounts and Finances may, in addition to the other penalties herein provided, cause the water immediately to be turned off, and the same shall not be turned on again until all back rents, penalties and damages shall be paid, together with the sum of one dollar for the turning off and on of the water.

442. Reading of Meters — Record — Notice — Receipt.] § 11. All water meters shall be read quarterly, and the results of said readings shall be transcribed to the meter book.

Notice by mail shall be sent to the persons to whom the water rent may be charged on or before the first day of the month after which the quarterly readings have been made. Said notice shall state the amount of rent due, for what quarter, that said rent must be paid on or before the tenth day of the first month of the next quarter, and the penalty prescribed for failure to pay the same within said time.

Upon payment being made of the water rent the Commissioner of Accounts and Finances shall deliver to the person paying the same a receipt therefor, which receipt shall be furnished by the city.

443. Failure to Pay Water Rent—Penalty.] § 12. If the water rent for any building or premises is not paid by the tenth day of the month as provided, the water at once may be shut off. The water shall not be turned on again for said premises until all back rents shall be paid, and in addition thereto the sum of one dollar for shutting off and turning on said water.

444. Penalty.] § 13. Any person who in any manner violates, disobeys, omits, neglects or refuses to comply with any of the provisions of this article, or who omits, neglects or refuses to comply with the orders or regulations concerning the use of water, or who resists any officer of the city in discharging the duties imposed upon such officer by any of the provisions of this article, shall upon conviction be fined not less than five dollars nor more than one hundred dollars for each and every offense.

ARTICLE V.

RULES GOVERNING PLUMBING IN CONNECTION WITH CITY WATER SYSTEM.

Section.

445. Rules and Regulations Governing Plumbing Work in Connection With City Water System.

445. Rules and Regulations Governing Plumbing Work in Connection with City Water System.] § 1. The following rules and regulations governing plumbing work in connection with the city water-works system hereby are adopted:

First—No person, firm or corporation except licensed plumbers shall make any connection or attachment with the pipes of the water-works system of the city, nor make any repairs, additions to, or alterations of any tap, pipe, cock or other fixture connected with said water-works pipes, on the outside or street side of said meter: *Provided*, that the foregoing shall not apply to employees of the city.

Second—All connections shall be provided with a good and sufficient casing of iron pipe. The cover of the casing shall be of cast iron. The same shall be placed near the curb. The separate stop-cock casing covers for several tenements shall be of cast iron. Every service pipe must be provided with a stop and waste, so situated that the water can be conveniently shut off and drained from the pipe, to prevent freezing.

Third—All curb stop-cocks used for service pipes of three-fourths inch water way or less shall be heavy brass inverted stop-cocks; all curb stop-cocks used on service pipes of more than three-fourths of an inch water way shall be of the gate valve type. All such stop-cocks shall be approved by the Inspector of Plumbing before they shall be installed.

Fourth—No service pipe between the ferrule and the stop-cock shall be laid less than four feet below the surface of the street grade. The material used for such service pipe shall, in each and every case, be subject to the inspection of the Inspector of Plumbing or his agent, and if found defective or below the standard established by ordinance, its use will not be permitted.

Fifth—In all streets where distributing pipes are laid, the service pipe shall be of lead.

Sixth—The following weights per lineal foot for lead pipe is the standard for service pipe, to-wit:

Lead pipe $\frac{5}{8}$ inch bore, 3 lbs. 0 oz. per lineal foot.

Lead pipe $\frac{3}{4}$ inch bore, 3 lbs. 10 oz. per lineal foot.

Lead pipe 1 inch bore, 4 lbs. 12 oz. per lineal foot.

Lead pipe $1\frac{1}{4}$ inch bore, 6 lbs. 0 oz. per lineal foot.

Lead pipe $1\frac{1}{2}$ inch bore, 7 lbs. 4 oz. per lineal foot.

Lead pipe $1\frac{3}{4}$ inch bore, 8 lbs. 2 oz. per lineal foot.

Lead pipe 2 inch bore, 9 lbs. 8 oz. per lineal foot.

On all lead service pipe wiped joints shall be made without exception.

Seventh—No tap greater than five-eighths of an inch shall be made in any main or distributing pipe of the water-works system of the city having less than a six inch water way. No tap greater than three-fourths of an inch shall be made in any such main or distributing pipe of less than an eight inch water way. A one inch tap may be made in any main or distributing pipe having a water way of eight inches or over, but no greater than a one inch tap shall be made in any main or distributing pipe: *Provided*, that multiple taps shall be permitted in cases in which a larger service pipe is desired than is allowed to be tapped into any particular main or distributing pipe, and: *Provided, further*, that the foregoing restrictions shall not apply to cases in which a permit is secured from the Superintendent of Water-Works and Electric Lighting and the tap is made by a machine especially for that purpose furnished by the city and the work is done under the supervision of the Superintendent of Water-Works and Electric Lighting or some one designated by him.

Eighth—All taps in the mains or distributing pipes of the water-works system shall be made on the side of said mains or distributing pipes and not higher up than the center thereof.

Ninth—All service pipes shall have at least as great a water way as the tap to which they are attached, and shall continue undiminished up to the meter.

Tenth—No tap less than five-eighths of an inch shall be made in any main or distributing pipe, and no service pipe shall be connected therewith of less than five-eighths of an inch water way.

Eleventh—All corporation cocks used for any tap on the mains or distributing pipes of the water-works system of the city shall be purchased from the Inspector of Plumbing, except in cases in which the same are installed by the contractor on contracts for new water mains. The said contractors may purchase said corporation cocks from the said inspector if they so desire, but if they purchase the said cocks elsewhere, a sample of the same shall be brought to the office of the Inspector of Plumbing, and shall meet his approval before being installed.

Twelfth—All corporation cocks installed in any water main or distributing pipe of the water-works system of the city, and all curb stop-cocks, shall be attached to the service pipe by means of a wiped joint.

Thirteenth—All service pipes hereafter laid in unpaved streets shall run to a point within one foot of the outer edge of the sidewalk, and in alleys to a point within one foot of the lot line: *Provided*, that the above requirement shall not apply where service pipes are laid in connection with the installation of a new water main, and in cases where service pipes are run in dirt-streets preparatory to paving, in which latter case the location of the curb shall be obtained from the City Engineer, and the service pipe extended at least three feet inside of said curb.

Fourteenth—All water meters shall be so located that they will be easily accessible to the Meter Reader. All outside meters shall be equipped with an extension dial, and shall be enclosed in a meter box approved by the Inspector of Plumbing.

Fifteenth—No plumber shall, after making any connection with the street mains, or after making repairs or putting in any new attachment, leave the stop-cock open and the water on the premises.

Sixteenth—Any plumber or other person violating any of the rules contained in this section shall for such offense forfeit and pay as a penalty any sum not less than one dollar nor more than one hundred dollars, and be liable in damages to any person for injuries resulting from the violation of said rules. For any injury or damage to said water-works or fixtures caused by the carelessness, neglect, or want of skill in any plumber or plumbers, or his or their employees, he or they shall be liable to an action on his or their bond for the damages sustained by said city by reason of the breach or breeches of the condition of said bond.

ARTICLE VI.

CITY ELECTRICIAN AND ELECTRICAL WORK.

Section.	Section.
446. City Electrician—Office Created—Appointment—Term.	461. No Connections to be Made and no Current to be Turned on Until Certificate of Inspection is Obtained.
447. General Duties—Assignment.	462. Concealment of Wiring—Posting of Notice.
448. Bond—Oath.	463. Permit Required for Wiring, Alterations, etc.—Application.
449. Qualifications.	464. Fees.
450. Shall not Engage in Other Business—Not to be Interested in Electrical Business—May Enter Premises.	465. Wires and Electrical Apparatus not Properly Insulated—Nuisance.
451. Shall Enforce all Rules and Ordinances—Police Power.	466. Construction of Ordinance.
452. Shall Maintain Office—Duty of Inspection.	467. Consolidation of Systems of Poles of Various Electrical Systems.
453. Supervision of Poles, Conduits and Wires.	468. Abandoned Poles and Wires—Removed Upon Notice—Penalty.
454. Poles—Setting—Permit.	469. Master Electrician's License—Bond—Rights and Liabilities.
455. Poles—Material—Uniformity—Approval.	470. Metallic Conduits—When Must be Used.
456. Rights Reserved to City.	471. General Regulations.
457. Annual Report by Companies—Record.	472. Injuring Electric Apparatus—Penalty.
458. Connection—Permit—Inspection of Wiring, etc.	473. Penalty.
459. Inspection Upon Complaint—Annual Inspection—Records—Accounts and Reports.	
460. National Electrical Code Adopted.	

446. City Electrician—Office Created—Appointment—Term.] § 1. There hereby is created the office of City Electrician, who shall be appointed annually by the Commissioner of Public Property, with the approval of the council, on or before the first day of May, or as soon thereafter as may be. He shall hold his office for the term of one year, and until his successor is appointed and has qualified. He shall receive such compensation as may be provided by ordinance.

447. General Duties—Assignment.] § 2. He shall perform such duties as are imposed upon him by law or ordinance, and in addition thereto such other duties as from time to time he may be directed to perform by the council or Commissioner of Public Property. He shall be under the supervision of the Superintendent of Water Works and Electric Lighting.

448. Bond—Oath.] § 3. Before entering upon the duties of his office he shall take the oath prescribed for all city officers and shall execute and deliver a bond payable to the City of Bloomington in the penal sum of two thousand dollars, with sureties to be approved by the council, conditioned upon the faithful performance of the duties of his office.

449. Qualifications.] § 4. No person shall be appointed to the office of City Electrician who is not reasonably well skilled in the various departments of electricity and well versed in the rules or requirements of the National Electric Code, and who has not been a resident of the City of Bloomington continuously for at least one year previous to his appointment, and who is not a citizen of the United States.

450. Shall not Engage in Other Business—Not to be Interested in Electrical Business—May Enter Premises.] § 5. Said City Electrician shall not engage in any other business or occupation while in the employment of the city, nor be interested, either directly or indirectly, in any business or occupation that deals with electricity in any of its various forms or with any of the appliances of electricity.

As far as is necessary in the performance of his duties the City Electrician is hereby vested with authority to enter at all reasonable times any building or premises in the City of Bloomington in which he has reasonable grounds to believe that electrical appliances are being or have been installed or kept.

451. Shall Enforce all Rules and Ordinances—Police Powers.] § 6. It shall be the duty of said electrician to see that the construction, maintenance and control of all electrical appliances and apparatus, and systems of electrical wiring, and systems of poles for the carriage of said electrical wires, and the electrical wiring of all buildings in the City of Bloomington, either public or private, shall conform to and comply with the rules and regulations established by this article, and with the reasonable rules and requirements of said electrician. Said electrician in the work of his office shall have the same powers as a police officer.

452. Shall Maintain Office—Duty of Inspection.] § 7. The said City Electrician shall establish and maintain an office at the city hall in the

City of Bloomington, and it shall be the duty of said officer, to the end that life and property within the city may in so far as possible be protected from the dangers attendant upon the use of electricity, to inspect in the manner hereinafter provided all uses of electricity within the corporate limits of the City of Bloomington, whether used either as a motive power or for heating, lighting or for telegraph or telephone purposes, or for any other purpose whatever requiring a connected system or wires or of poles and wires extending throughout, along or across the streets, alleys or other public places of the city or any portion thereof, or where electricity is used in any private property within the city when connected with any such general system of electrical power or any isolated system.

453. Supervision of Poles, Conduits and Wires.] § 8. Said officer shall have supervision, under the general rules prescribed herein, of the setting of poles, and all conduit work, except the location thereof, in streets, alleys and other public places throughout the city, and of stringing and attaching wires thereto, or therein, and of the attachment or connection of wires to any building, public or private, within the city, when such poles, conduits or wires are a part of any such general or isolated system within said city, and of the electrical wiring of any building in said city, and of all electric motors. *Provided, however,* nothing herein contained shall be considered as authorizing said electrician to permit the erection and placing or the stringing of wires or the laying of conduits except where sufficient authority has been theretofore granted by the City of Bloomington.

454. Poles—Setting—Permit.] § 9. No person, firm or corporation shall set or reset any poles in any street, alley or public place within the limits of the city without first obtaining the special permission of the council: *Provided,* that not more than three poles may be set or reset at any one time under the permission of the Commissioner of Streets and Public Improvements, the said poles to be located at points designated by the said commissioner.

455. Poles—Material—Uniformity—Approval.] § 10. All poles set or reset either by permission of the council or the Commissioner of Streets and Public Improvements shall be good strong poles, and when more than one pole is set, they shall be of uniform size and height as near as may be. All poles so set must meet the approval of the City Electrician.

456. Rights Reserved to City.] § 11. In case the said city shall change the width or grade of any street, sidewalk or alley where said poles are or may be placed, or when for any reason the city council shall direct the same to be done, the parties owning or controlling said poles shall remove and reset the same at such place and in such manner as the city council may direct, whether or not such provision is specifically set forth in the grant of any such privilege.

457. Annual Report by Companies—Record.] § 12. Every person, firm or corporation engaged in the use of electricity within the corporate

limits of the City of Bloomington for any of the purposes above specified, and permanently maintaining a system of poles or underground conduits within the streets, alleys or public places, and wires or cables attached to or in the same, shall report to the City Electrician annually on or before the fifteenth day of April the number of poles and approximately the number of miles of wire so maintained. The said electrician shall keep a record of such reports.

458. Connection—Permit—Inspection of Wiring, etc.] § 13. No residence or place of business shall be connected with any system of electrical power without a permit first being secured therefor from the City Electrician. All such work shall be done under the supervision of said electrician who shall keep a record of all such permits and inspections.

No person shall use any electricity provided from any system for heat, light or power without first having all wiring, apparatus and motors inspected and approved in accordance with the provisions of this article: *Provided*, that no inspection fee or fee for permit shall be charged for the putting in of any telephone instrument on private property.

459. Inspection Upon Complaint—Annual Inspection—Records—Accounts and Reports.] § 14. Upon complaint in writing of any citizen of this city as to the unsafe condition of any part of any such electrical system within the city, it shall be the duty of such electrician to inspect such part complained of, and if he finds that such complaint is well grounded, or if he otherwise finds any defect, to require the person, firm or corporation at fault in the matter to put such part in proper condition, and it shall then be the duty of such person, firm or corporation to put such defective part in proper condition.

It shall be the duty of such electrician to make a complete inspection of all systems of wiring and poles in said city at least once in every year; and it shall be the further duty of such electrician to keep a complete record of all matters and things connected with his office, to account for all fees paid to him as herein provided, and to make monthly reports to the Commissioner of Public Property and to turn over all fees collected by him for that month to the Commissioner of Accounts and Finances.

460. National Electrical Code Adopted.] § 15. The method of electrical wiring to be used in the wiring of all buildings and dwelling houses in said city shall be uniform and shall be the method prescribed by the National Board of Fire Underwriters, and known as the National Electric Code.

461. No Connections to be Made and no Current to be Turned on Until Certificate of Inspection is Obtained.] § 16. No electrical current shall be used for light, heat, power, telephone, telegraph or other purposes in said city until a certificate shall have been obtained from said City Electrician approving of the installation of the electrical apparatus and wires, and the installation and arrangement thereof to be used in connection therewith. Such certificate shall be obtained by the person, company or

corporation installing or assisting in installing such wires or apparatus or using or being about to use the same for such electrical current, and no electrical current shall be turned on to such wires so inspected, nor shall any company's wires be connected therewith until such company shall bring a receipt of the written permission of the City Electrician.

462. Concealment of Wiring—Posting of Notice.] § 17. No person, firm or corporation shall conceal or cause to be concealed any electrical wiring or apparatus mentioned in this article except with the express permission of the City Electrician, and he is hereby authorized and directed to remove any flooring, lathing, plaster, sheet or metal or other material which may conceal any electrical wiring or apparatus contrary to the provisions of this article.

On completion of the inspection of any electrical wiring or apparatus designed to be concealed and found to be in full compliance with the provisions of this article, it shall be the duty of said electrician to post a notice to that effect at the main cutout center, and said notice shall be considered as an express permission to conceal said electrical wiring and apparatus, but no concealment shall take place until such notice has been posted by the said electrician.

463. Permit Required for Wiring, Alterations, etc.—Application.] § 18. No electrical wiring or apparatus for use in connection with electric light, heat or power shall be installed in any building, nor shall any alteration or change be made in any such electrical wiring or apparatus located within any building, nor shall any change be made in any system of wiring, unless an application therefor describing such installation or change shall first be filed with the City Electrician and a permit secured from him.

The said application shall describe such installation, alteration or change, including the apparatus and material to be used.

No deviation shall be made from the details shown in such application without the written permission of the City Electrician.

464. Fees.] § 19. The fees for inspection, issuing of permits to put in wires, and the charge for the inspection of systems of poles and wires in use in the public streets, alleys, parks or other public places, shall be as follows:

For the inspection of one to five outlets, the sum of fifty cents.

For the inspection of from six to twenty outlets, the sum of one dollar.

For the inspection of from twenty-one to thirty outlets, the sum of two dollars.

For the inspection of from thirty-one to sixty outlets, the sum of two and one-half dollars.

For inspection of from sixty-one to one hundred outlets, the sum of three dollars.

For inspection of each fifty outlets, or fractional part, over one hundred outlets, the sum of fifty cents.

For inspection of motor or generator of one horse power or kilowatt or under, the sum of one dollar.

For inspection of motor or generator of over one horse power or kilowatt, the sum of two dollars.

For inspection on the same trip of each additional motor or generator the sum of one dollar.

For inspection of electric safety appliances for elevators, the sum of one dollar for first two floors, and the sum of twenty-five cents for each additional floor.

All unfinished wiring shall be charged for as follows: One to ten outlets, one dollar; ten cents additional each for all over ten outlets.

For charging set for automobiles, the sum of one dollar.

For permits for electrical installations, the sum of fifty cents.

One electrical horse power shall equal 746 watts within the meaning of this section

Certificates permitting the use of temporary installations for decorative purposes will be charged for at one-half the above rates, except that the minimum fee will be one dollar.

Certificates permitting the use of electrical signs shall be charged for at the same rate as other installations using the same number of lights. The basis of inspection of lamps herein inspected is hereby declared to be a sixteen candle power or a 60-watt lamp.

Additional inspection made necessary by defective material or devices or careless workmanship shall be charged for at the rate of one dollar for each extra visit.

A certificate covering permission to temporarily operate portable electrical equipment on the stage of a theater shall be charged for at the rate of one dollar each.

Certificates of inspection covering work not specified above shall be charged at the rate of one dollar per hour, but no inspection shall be made for less than one dollar.

For the annual inspection of all systems of wiring and systems of underground conduits or poles in the City of Bloomington, every person, firm or corporation maintaining any such system shall pay, on or before the first day of July of each and every year, the sum of ten cents a pole for each pole maintained in said city, and ten cents per mile for each mile of wire maintained in said city.

465. Wires and Electrical Apparatus not Properly Insulated—Nuisance.] § 20. Any electrical wire, pole or electrical support or other electrical apparatus in said city which shall not be properly insulated or installed or which causes any unnecessary risk or danger of injury to persons or property in said city, is hereby declared to be a nuisance, and any person, company or corporation who shall maintain or use the same in such dangerous condition shall be fined as hereinafter provided. And the City Electrician is hereby authorized to cut out the same and prevent its further use.

466. Construction of Ordinance.] § 21. Nothing in this article shall be construed to exempt any person, firm or corporation from liability now existing, or that in the future may arise, to the city or any person for damage from negligence or from defective construction relating to maintaining or making connection with any such system of electrical power within the limits of the City of Bloomington, nor to release any person, firm or corporation from any restriction under ordinances granting them their respective franchises; nor shall the city be held to assume any liability by reason of the inspection authorized herein or certificate or permit being issued pursuant to the provisions of this article, or from a failure of the City Electrician to perform his full duties hereunder.

467. Consolidation of Systems of Poles of Various Electrical Systems.] § 22. Whenever in the judgment of the City Electrician and Commissioner of Public Property any pole or system of poles in or along any of the streets or alleys of said city can be dispensed with and the wires thereon can be attached to other poles or system of poles in said city without danger, it shall be the duty of the person, firm or corporation owning, operating or maintaining said unnecessary poles upon written notice from the City Electrician to remove the same within thirty days after such notice.

468. Abandoned Poles and Wires—Removed Upon Notice—Penalty.] § 23. All poles or wires which have been abandoned for use shall be taken down and removed, and any person, firm or corporation owning, maintaining or having used any such pole or wire who shall refuse or neglect to remove the same within thirty days after being given written notice so to do by the City Electrician or the Commissioner of Streets and Public Improvements shall be fined not less than ten dollars nor more than one hundred dollars, and each day any such wire or pole is allowed to remain after the expiration of said thirty days shall be considered a separate offense under this section.

469. Master Electrician's License—Bond—Rights and Liabilities.] § 24. No person, firm or corporation shall engage in the business of installing electrical wiring and apparatus within any building in the City of Bloomington for use in connection with electric light, heat or power without first appearing in person or by duly authorized representative at the office of the City Clerk and securing from him a Master Electrician's License.

No master electrician's license shall be issued except upon payment of a fee of twenty-five dollars to the Commissioner of Accounts and Finances, together with the filing of a bond with good and sufficient sureties in the penal sum of one thousand dollars conditioned upon full compliance with the ordinances of the city regulating electrical wiring and apparatus and the faithful performance of all contracts entered into for the installation of electrical wiring and apparatus.

Said master electrician's license shall entitle the holder thereof to engage in the business of installing electrical wiring and apparatus inside buildings for using electricity for light, heat or power within the limits of the City of Bloomington for the period of one year from date of issue.

Any failure on the part of the holder of a master electrician's license to comply with the provisions of any ordinance of the city regulating electrical wiring and apparatus, or faithfully to carry out the conditions of a contract for installing electrical wiring and apparatus, shall be deemed sufficient cause for revoking said master electrician's license, together with all rights and privileges thereunder, and declaring the forfeiture of the bond filed pursuant to the requirements of this article.

470. Metallic Conduits—When Must be Used.] § 25. All wiring for electric light, heat or power hereafter installed in churches, theaters or other places used for public gatherings, and in all buildings other than buildings designated for the occupancy of not more than three families, shall be installed in suitable approved metallic conduits. Said approved metallic conduits shall be used in all new class "C" wiring installed within the fire limits. All repairs or alterations of class "C" wiring within the fire limits shall be made under the direction of the City Electrician, and shall be subject to his approval before current shall be turned into the same.

471. General Regulations.] § 26. The following regulations shall be followed:

First—No wire or wires shall be installed, operated or maintained over any street, alley, sidewalk or building in this city which shall be likely seriously to interfere with the work of the fire department in the use of ladders or other apparatus, or which shall obstruct or render hazardous the use of fire escapes, and on complaint of the Chief of the Fire Department to the person, firm or corporation maintaining said wires, said obstructing, interfering or hazardous wires shall be removed or properly rearranged.

Second—The said City Electrician shall make a thorough inspection of all electrical wires and apparatus within the city at least once in each year, and where wires or apparatus are in dangerous or unsafe condition, or are deemed to be an interference with the work of the fire department, he shall notify the person, firm or corporation owning, using or operating them to place them in a safe, secure and non-interfering condition. Any person, firm or corporation failing, neglecting or refusing within thirty days to make the necessary repairs or changes, and have the necessary work completed within a reasonable time after the receipt of said notice, shall be deemed guilty of a violation of this section and every day which shall elapse after the expiration of said reasonable time until said wires and apparatus are repaired, removed or changed as required by said City Electrician shall be considered a separate offense within the intent and meaning of this section.

Third—The Chief of the Fire Department or said City Electrician or a competent person delegated by them or either of them shall have the power to cause the removal of all wires or the turning off of all electrical current where the circuits interfere with the work of the fire department during the progress of a fire. The said electrician is hereby authorized

and empowered to cause the turning off of electric current from all conductors or apparatus which are deemed by him to be in an unsafe condition or which have not been installed in conformity with the provisions of this article. No person, firm or corporation shall supply or cause to be supplied any electric current to conductors or apparatus which have been deemed by said electrician to be in an unsafe condition or which have not been installed in conformity with the provisions of this article and from which the said electrician has caused the electric current to be turned off.

Fourth—The City Electrician, by and with the consent of the Commissioner of Public Property, shall have power to deputize one or more assistants, and each one of said assistants shall in every case be known to be competent to discharge the duties of City Electrician, and the rights and privileges conferred upon the City Electrician are hereby conferred upon each assistant to the City Electrician when properly appointed.

Fifth—The words or terms “electrical wiring and apparatus” as used in this article shall be construed to include all material, devices, machinery, appliances, appurtenances or conductors used in connection with the production of electric light, heat or power or the transmission of electrical signals, except where specifically limited.

Sixth—The City Electrician shall decide all questions not provided for in this article pertaining to installation, operation or maintenance of electrical wiring and apparatus.

Seventh—Upon the completion of the installation of electrical wires and apparatus in any building for use in connection with electric light, heat or power, it shall be the duty of the person, firm or corporation doing the same to notify said electrician or competent assistant deputized by him, who shall at once inspect the same, and if approved by him he shall issue a certificate of satisfactory inspection which shall contain the date of inspection and an outline of the results of such examination, but no certificate shall be issued unless all apparatus, wires, etc., connected therewith are in strict conformity with the rules and regulations herein set forth; nor shall current be turned on any wiring or apparatus until a certificate of satisfactory inspection is issued.

Eighth—Any person, firm or corporation desiring to place any pipe, sheet metal or other metallic material within six inches of any electrical wire or wires installed for use in connection with electric light, heat or power shall, before proceeding with the execution of the work, obtain from the City Electrician a permit therefor, and on completion of said work shall notify said electrician, who shall inspect the same and cause all wires to be placed in a safe and secure condition: *Provided*, that nothing in this section shall be construed to refer to wire installed in approved iron conduit or armored cable.

Ninth—No person, firm or corporation shall interfere with the said electrician or any competent person or persons lawfully deputized to assist

him as hereinafter provided, while in the performance of duty, and each such interference shall be deemed to constitute a separate offense within the intent and meaning of this section.

472. Injuring Electric Apparatus—Penalty.] § 27. Any person breaking, mutilating, obstructing, injuring or in any way interfering with any public or private electric light situated in or upon any street, alley or public place, or with any pole, wire, support or apparatus connected with any such light, shall be fined not less than ten dollars nor more than one hundred dollars for each offense.

473. Penalty.] § 28. Any person, firm or corporation, either by itself, agent or employee, violating any section or provision of this article, where no other penalty is provided, shall be fined not less than five dollars nor more than fifty dollars for each offense.

ARTICLE VII.

PARKS AND PUBLIC GROUNDS.

Section.	Section.
474. Park Custodian and Park Matron—Offices Created—Appointment—Term.	478. Powers, Authority and Duties.
475. Assignment—General Duties.	479. Rules Governing Public Parks.
476. Bond of Park Custodian.	480. Penalty.
477. Assistants—Entire Time Devoted to Duties.	

474. Park Custodian and Park Matron—Offices Created—Appointment—Term.] § 1. There hereby are created the offices of Park Custodian and Park Matron, who shall be appointed annually by the Commissioner of Public Property, with the approval of the council, on or before the first day of May, or as soon thereafter as may be. Each of said officers shall hold their respective offices for the term of one year, and until their respective successors are appointed and have qualified. They shall receive such compensation as may be provided by ordinance.

475. Assignment—General Duties.] § 2. Both of said officers shall be under the supervision of the Commissioner of Public Property, and shall perform such duties as are imposed upon them by law or ordinance, and in addition thereto such other duties as from time to time may be required of them by the council or the Commissioner of Public Property.

476. Bond of Park Custodian.] § 3. Before entering upon the duties of his office the Park Custodian shall take the oath prescribed for all city officers and shall execute and deliver a bond payable to the City

of Bloomington in the penal sum of two thousand dollars, with sureties to be approved by the council, conditioned upon the faithful performance of the duties of his office.

477. Assistants—Entire Time Devoted to Duties.] § 4. The Park Custodian shall be allowed such assistants, to be appointed by the Commissioner of Public Property, as the said commissioner from time to time shall authorize. He shall devote his entire time to the duties of his office.

478. Powers, Authority and Duties.] § 5. The Park Custodian, under the direction of the Commissioner of Public Property, shall have charge and control of all parks within the city of Bloomington, and shall have charge of all public property in said parks, and the care and custody of all property left in any parks or loaned to said parks for public use.

He shall have the care of all animals and property in the zoological gardens connected with said parks.

He shall have charge of the renting of boats used upon the lakes in said parks, of the swimming and skating privileges, and of all other uses to which the parks are put by the public.

He shall be endowed with all the powers of a police patrolman, and shall enforce strictly all the ordinances, rules and regulations of the city in reference to parks.

He shall keep an accurate account of all moneys received, and weekly shall pay the same over to the Commissioner of Accounts and Finances.

479. Rules Governing Public Parks.] § 6. The following rules are hereby adopted for the government of the public parks of the City of Bloomington:

First—No person shall discharge any fireworks or firearms in the parks of said city without the permission of the council or Commissioner of Public Property.

Second—No person shall write upon or mark or deface in any manner, or use in any improper way, any water closet, seat, fence or any property or thing pertaining to or in any park of said city.

Third—No person shall drive or ride upon the grass or footways or elsewhere than upon the roads for the use of vehicles in said parks.

Fourth—No person shall ride or drive faster than six miles an hour in any of the said parks.

Fifth—No person shall break, cut, mutilate or injure, remove or carry away any tree, plant, shrub, fence or any property in or upon any park, square or place in said city, or on any street, avenue, or highway around the same.

Sixth—No person shall commit a nuisance or any offense against decency in any of said parks.

Seventh—No person shall throw stones or rubbish of any kind into any lake or pond in any of said parks.

Eighth—No person shall bathe in any lake or pond in any of said parks without the permission of the council or Commissioner of Public Property. All persons so bathing shall do so at their own risk.

Ninth—No person shall chase, kill, set snare for, catch or attempt to catch any rabbits, squirrels, birds, fish, or any animal or being belonging to said parks or kept therein, except that there may be fishing in such ponds and at such times as are designated by the council or Commissioner of Public Property.

Tenth—No person shall paste, affix or inscribe any hand bill or poster on any structure or property in or on any such park, place or square or highway surrounding the same.

Eleventh—No person shall curse, swear, yell or use abusive language, or fight or throw stones, or behave in a riotous or disorderly manner in any of said parks.

Twelfth—No person shall sell any article whatever in any of said parks, except when authorized by the council or Commissioner of Public Property.

Thirteenth—No person shall foul in any manner any spring or drinking fountain or branch thereof in any of said parks.

Fourteenth—Carriages, automobiles, equestrians and bicycles when meeting shall keep to the right as the law of the road requires.

Fifteenth—No person shall fasten a horse or other animal to a tree in any of said parks.

Sixteenth—Gambling and playing cards are prohibited in said parks.

Seventeenth—No person shall make a fire for any purpose on the grounds of any of the said parks except a park employee when so directed by his superiors.

Eighteenth—No person shall bring any dog into any of said parks except when fastened or led by a cord, string or chain sufficient to properly restrain the same.

Nineteenth—No person or persons shall deliver any oration, address, speech, sermon or lecture in any of said parks without a permit from the council or Commissioner of Public Property.

Twentieth—No person shall permit any domestic animal to go or run at large in any park of said city, and all animals found loose in any park shall be taken up and impounded, and if not claimed in ten days, sold, and the fact of such animal being found running at large shall be evidence of such permission of the owner thereof.

Twenty-first—No person shall trespass on any grounds enclosed with a wire, rail or other fence in any of said parks.

Twenty-second—No picnic shall take place in said parks without a permit being obtained for the purpose from the council or Commissioner of Public Property; but private family picnics shall not be included within this prohibition.

Twenty-third—No person shall disturb any picnic or intrude himself or herself upon it without the consent of those composing it.

Twenty-fourth—All racing with horses, automobiles or vehicles is prohibited in said parks.

Twenty-fifth—Bicycles and tricycles shall be restricted to the use of the roadways in said parks, and be controlled by the same laws which govern vehicles and equestrians, and must pass to the right when meeting the same.

Twenty-sixth—No person shall parade, exhibit or distribute any advertisement, circular or hand bill in any of said parks, nor any peddler or petty dealer sell or in any manner dispose of any article in any public park in said city except by permission from the council or Commissioner of Public Property.

Twenty-seventh—No game of base ball or foot ball shall be played in any of said parks except upon permission from the council or Commissioner of Public Property.

Twenty-eighth—The use of sticks, switches and straps by skaters and the skating of more than three persons abreast on the park ponds is hereby forbidden, and no more than ten persons shall congregate within a radius of fifteen feet from any central point at one time.

Twenty-ninth—The use of sleds on the ice on the park ponds, except by permission of the council or Commissioner of Public Property, is hereby forbidden.

Thirtieth—All persons using sleds on the ice of the park ponds or skating thereon shall obey all reasonable orders of the park policeman while upon the ice. No person shall skate or use sleds upon the ice when forbidden to do so by the park policeman.

Thirty-first—All heavy traffic, farm wagons, delivery wagons and heavy teams of all kinds are prohibited from the roads, walks and driveways of all parks, and prohibited from the use thereof, save and except in case of necessity.

Thirty-second—No machine, vehicle or automobile which is propelled by power other than animal power, shall be moved along or over the dam at Miller Park, in the City of Bloomington.

Thirty-third—No person shall throw, scatter or leave any paper, trash, garbage or any rubbish or materials whatsoever in any park, but all such matter shall be deposited at once in receptacles provided for that purpose.

480. Penalty.] § 7. Any person who shall violate any provisions or rules of this Article shall upon conviction be fined not less than five dollars or more than one hundred dollars.

ARTICLE VIII.

CITY CEMETERY.

Section.	Section.
481. City Cemetery.	485. Shooting in Cemetery Forbidden—Penalty.
482. Plat Recorded.	486. Loitering in Cemetery at Night Forbidden.
483. Ground Set Apart for Paupers—Digging Grave on Another's Lot—Penalty.	487. Cemetery Not to be Located in Corporate Limits.
484. Lot Shall be Purchased from Commissioner of Accounts and Finances — Deeds — How Executed.	

481. City Cemetery.] § 1. The tracts or lots of land purchased by the City of Bloomington of Joseph Ramsey and wife, Benjamin Depew and wife, and Adeline Kimler, and particularly described in the deeds from them to said city, recorded in the recorder's office of McLean County, in deed book P., on page 308 and 504, together with the grounds used as a cemetery previous to said purchases, and such land as since has been purchased for cemetery purposes, and such land as in the future may be purchased, are hereby set apart and dedicated for cemetery purposes and uses, to be kept and controlled by the corporate authorities of said city, and said premises shall be known and designated as the City Cemetery, and shall be under the supervision and control of the Commissioner of Public Property.

482. Plat Recorded.] § 2. Said tracts of land, and any other that hereafter may be purchased for cemetery purposes, or as an addition to said grounds, shall, as the council may determine, be laid off into lots of appropriate size, and surveys and plats of said lots shall be made under the direction of the council, which surveys and plats shall designate the lots by numbers, and be filed and recorded in the recorder's office of McLean County, which lots shall be sold at such prices as the council may from time to time direct: *Provided*, that no part of said lands shall be sold or used for any other than burial purposes and the same shall be taken subject to such regulations as the council may from time to time establish touching the management of said cemetery.

483. Ground Set Apart for Paupers—Digging Grave on Another's Lot—Penalty.] § 3. A portion of said grounds, under the direction of the council, shall be laid off and designated as "commons," for the burial of strangers and the friends of persons unable to purchase lots; and whoever shall dig or cause to be dug any grave in said city cemetery, or other cemetery within said city upon any lot not the property of such persons, unless the same be upon the stranger's grounds or "commons,"

or be done by written consent of the owner of such lot, shall be fined not less than twenty-five dollars nor more than fifty dollars.

484. Lots Shall be Purchased from Commissioner of Accounts and Finances—Deeds—How Executed.] § 4. Any person desiring to purchase any lot shall pay the price thereof to the Commissioner of Accounts and Finances, who shall thereupon give the purchaser a receipt for the amount paid, in which receipt shall be stated the number of the lot proposed to be purchased, and on presentation of such receipt to the City Clerk, it shall be the duty of said clerk to prepare a deed for such lot, which shall be signed by the Mayor of said city and countersigned by said clerk, and shall be executed under the seal of the City of Bloomington.

All deeds to cemetery lots may be in the following form:

“The City of Bloomington, in consideration of dollars to the said city paid by, doth hereby, in conformity with the ordinances of the city council of said city in such case made and provided, give, grant, bargain, sell and convey to him, the said....., lot numbered in the plat of the cemetery, as laid out and recorded in the office of the City Clerk, and in the office of the recorder of the County of McLean. To have and to hold the same, with its appurtenances, unto the said, his heirs and assigns forever, for the purpose of burying therein his or their dead, and for no other use, intent or purpose whatever; subject, nevertheless, to such general rules and regulations as the city council of said city may from time to time hereafter establish.

And the said City of Bloomington hereby covenants with the said, his heirs, and assigns, that the premises designated as the cemetery aforesaid, shall forever be kept and preserved as a place for the burial of the dead of said city.

In witness whereof the Mayor of said city has hereunto set his signature, and caused the seal of the City of Bloomington to be affixed, this day of, A. D.

(L. S.), Mayor.

Countersigned:

....., City Clerk.

485. Shooting in Cemetery Forbidden—Penalty.] § 5. Whoever within the city cemetery, or in any other cemetery or burying ground within said city, shall discharge any firearm, or be found hunting or trespassing, or shall trespass upon any grave within said city, or shall refuse to obey any lawful order of the City Sexton, or of any person having charge of any cemetery or burying ground, shall be fined not less than ten dollars nor more than one hundred dollars.

486. Loitering in Cemetery at Night Forbidden.] § 6. Whoever shall go or remain upon the grounds of the city cemetery or any burying ground within said city before sunrise in the morning or after sunset in

the evening without permission of the said sexton, or other person in charge of such cemetery or burying ground, shall be fined not less than five dollars nor more than fifty dollars.

487. Cemetery Not to be Located in Corporate Limits.] § 7. No cemetery or burying ground shall hereafter be established within the corporate limits of the City of Bloomington, nor shall any cemetery or burying grounds heretofore established within said city be extended or enlarged or used for burial purposes, except by consent of the council, under a penalty of not less than one hundred dollars for each violation of this section and a like penalty for each day such violation shall continue.

ARTICLE IX.

CITY SEXTON.

Section.	Section.
488. City Sexton—Office Created—Appointment—Term.	493. Keep Records—Report.
489. Assignment—General Duties.	494. Shall Keep Buildings, etc., in Repair—Police Power.
490. Bond—Oath.	495. Monthly Report.
491. Record of Lots—Penalty.	496. Fees.
492. Duties.	497. Account and Report of Fees.

488. City Sexton—Office Created—Appointment—Term.] § 1. There hereby is created the office of City Sexton, who shall be appointed annually by the Commissioner of Public Property, with the approval of the council, on or before the first day of May, or as soon thereafter as may be. He shall hold his office for the term of one year, and until his successor is appointed and has qualified. He shall receive such compensation as may be provided by ordinance.

489. Assignment—General Duties.] § 2. He shall be under the supervision and control of the Commissioner of Public Property, and shall perform such duties as are imposed upon him by law or ordinance, and in addition thereto such other duties as from time to time he may be directed to perform by the council or Commissioner of Public Property.

490. Bond—Oath.] § 3. Before entering upon the duties of his office, he shall take the oath prescribed for all city officers, and shall execute and deliver a bond payable to the City of Bloomington in the penal sum of one thousand dollars, with sureties to be approved by the council, conditioned upon the faithful performance of the duties of his office.

491. Record of Lots—Penalty.] § 4. The City Sexton shall keep a record, in which shall be recorded the number of every lot heretofore or hereafter surveyed in the cemetery, beginning with number one, with columns ruled therein for the name of the purchaser, the appraisal, price sold

for, and date of sale. Columns shall also be ruled therein for any reappraisal which may hereafter be made, and for the neglect of his duty in any case he shall be subject to a penalty of ten dollars.

492. Duties.] § 5. The City Sexton shall take charge of the City Cemetery and shall keep the grounds, walks and avenues of the same in good order and condition, and free from obstructions.

He shall enforce all ordinances and regulations of the council respecting said cemetery, report violations of the same to the proper officers for prosecution, and may arrest any person found hunting, discharging firearms, or doing any unlawful act therein.

He shall prevent the burial of any body in any unsold lot, or the lot of any private individual without his consent; and he shall superintend all burials in the commons, and specify their manner and place, and by night keep the gates of said cemetery closed and locked, and he shall see that all soldiers' graves in said cemetery are properly kept and cared for.

He shall, under the direction of the Commissioner of Public Property, cause all bodies buried in any lot without proper authority to be removed to the "commons," and any persons making or causing such unlawful interment shall be liable to the city for all costs and expenses of such removal.

493. Keep Records—Report.] § 6. It shall be the duty of the City Sexton, and also of any other sexton or person in charge of any burying ground within said city, to keep books of record, to be furnished by the city, in which shall be recorded the name, age, sex, nationality and date of death of every person interred in the cemetery or grounds for which such record is kept, and also the number of the lot where the person is buried, and at the end of each year to make a report to the Commissioner of Public Property embracing all of the above particulars and covering the year for which such report is made.

494. Shall Keep Buildings, etc., in Repair—Police Power.] § 7. He shall, under the direction of the Commissioner of Public Property, keep in good repair the fences or enclosures around said cemetery, and all vaults and buildings therein belonging to the city. He shall have all the powers of a police patrolman.

495. Monthly Report.] § 8. On or before the first day of each month he shall make out and furnish to the Commissioner of Public Property a statement in writing showing the number of interments made in said cemetery the preceding month, with the name, sex and color of each person so interred, the date of death, the disease or cause of death, and where practicable, the age, occupation, nativity and residence of the deceased.

496. Fees.] § 9. The City Sexton shall receive as compensation such salary as shall be allowed him by the council.

He shall charge the following fees for his service, all of which fees shall be the property of the city:

For each interment of the body of a person under ten years of age, two dollars.

For each interment of the body of a person over ten years of age, four dollars.

497. Account and Report of Fees.] § 10. The said sexton shall report to the Commissioner of Accounts and Finances the amount of his collections and turn over to the said commissioner all moneys collected at least once every month.

CHAPTER VIII.

BOARD OF LOCAL IMPROVEMENTS

Section.	Section.
498. Board of Local Improve- ments Created—Member- ship.	501. President. 502. Clerk—Election—Term— Duties.
499. Meetings—Time and Place.	503. Contracts—Execution— Dis- position—Bonds Attached to.
500. May Adopt Rules.	

498. Board of Local Improvements Created—Membership.] § 1. There hereby is created the Board of Local Improvements of the City of Bloomington, Illinois, which shall consist of the Mayor, the Commissioner of Accounts and Finances, the Commissioner of Public Health and Safety, the Commissioner of Streets and Public Improvements and the Commissioner of Public Property.

499. Meetings—Time and Place.] § 2. The regular meetings of the said Board of Local Improvements shall be held on Tuesday of each week at the hour of 2:30 p. m. at the council chamber of the council of the City of Bloomington, or such other place as the said council may provide: *Provided*, that if any such regular meeting shall fall upon any holiday recognized as such by the laws of the United States or the laws of the State of Illinois, the said regular meetings so falling on said holiday shall be held on the day, not Sunday or a holiday, before said holiday at the time and place aforesaid.

500. May Adopt Rules.] § 3. Said board shall have power to make and adopt, subject to the approval of the council, all necessary and proper rules and regulations to carry out the functions of said board.

501. President.] § 4. The Mayor shall be president of said board, and shall preside at all meetings thereof.

502. Clerk—Election—Term—Duties.] § 5. The board shall elect some suitable person as clerk of the said board, which said clerk shall hold his office for one year or until removed by the board, which removal may be made with or without cause. The said clerk shall attend all meetings of the said board and keep an accurate record of all proceedings had by said board in a book provided for the same. He shall preserve and file away all petitions, resolutions, papers and documents of any kind presented to or acted upon by said board.

The said clerk shall mail and post all notices and estimates which are required by law to be mailed or posted by the Board of Local Im-

provements, and shall prepare all reports made by said board to the city council, and shall do and perform all other acts and duties required by the said board.

503. Contracts—Execution—Disposition—Bonds Attached to.] § 6.

All contracts entered into in pursuance of bids accepted by the Board of Local Improvements, after having been approved by the president of said board, shall be executed in triplicate by the Mayor, City Clerk and Commissioner of Accounts and Finances on the part of the City of Bloomington, and the contractor. One of the contracts so executed shall be filed and kept in the office of the City Engineer; and one shall be filed and kept in the office of the Commissioner of Accounts and Finances; and the remaining one shall go to the contractor. The contract so filed and kept in the office of the Commissioner of Accounts and Finances shall have attached to it all bonds relating to the public improvement therein detailed.

CHAPTER IX.

MISCELLANEOUS ORDINANCES

ARTICLE I.

AMUSEMENTS.

Section.	Section.
504. Entertainments—License—Penalty.	510. License—How Taken Out—Penalty.
505. License—City Clerk to Issue.	511. Mutilation of Amusement Bills—Penalty.
506. License Fee.	512. Intoxicating Liquors—Penalty.
507. Parade—License Shall Specify—Penalty.	513. Seats in Passageways—Penalty.
508. License Subject to Ordinances and in Discretion of Mayor.	514. Special Police Patrolmen.
509. Prohibitions in Licenses—Revocation—Penalty.	515. Refusal to Move on After Notice—Penalty.

504. Entertainments—License—Penalty.] § 1. It shall not be lawful for any person, company, corporation or other association to exhibit in said city any show, legerdemain, menagerie, figures or other things, or to perform any feats, such as circus riding, or exhibitions, or anything of the like nature, or to exhibit any panoramas, curiosities or other things, or to give theatrical or musical performances, or musical concerts or entertainments, or to perform any tricks such as are played by persons generally known by the name of magicians, rope and wire dancers, or to perform any slight of hand with cards, cups, balls or other things, where money is charged for admission to hear, see or operate the same, or where money directly or indirectly is charged or solicited for hearing, operating or seeing any such performance or exhibitions, or to own or operate any roller skating rink, or to parade in the streets in connection with any circus, menagerie, wild west show or other exhibition showing in tents or in the open air, without first having obtained a license for that purpose, as hereinafter provided; and any person violating this section shall forfeit and pay not less than five dollars nor more than one hundred dollars for each offense: *Provided*, that the provisions of this section shall not apply to any public entertainment the proceeds of which are for the benefit of any religious, fraternal, charitable or educational institution located in the City of Bloomington.

505. License—City Clerk to Issue.] § 2. Every such license shall be issued by the City Clerk, upon the payment to the Commissioner of

Accounts and Finances of the license tax or fee, and shall be signed by the Mayor and countersigned by the Commissioner of Accounts and Finances. Each license shall express for what it is granted and the time it is to continue.

506. License Fee.] § 3. The following tax, or license fee, shall be imposed upon each license granted, and shall be paid to the Commissioner of Accounts and Finances upon the granting of such license:

The managers of or agents for circus or menagerie companies, wild west shows, or other exhibitions showing in tents or in the open air, shall pay to the Commissioner of Accounts and Finances the sum of seventy-five dollars to exhibit, parade, or perform for one day or to unload within the corporate limits of the city; for two days, one hundred dollars; and twenty-five dollars for each day after two days; *Provided*, that when a charge for regular admission is above ten cents and does not exceed twenty-five cents, the said payment to be made shall be twenty-five dollars for one day, forty dollars for two days, and ten dollars for each day after two days; *Provided, further*, that when a charge for admission is ten cents or less, the said amount to be paid shall be five dollars per day or twenty-five dollars per week, not including Sunday.

Proprietors of opera houses in the City of Bloomington shall pay to the Commissioner of Accounts and Finances the following sums for the license hereinbefore required:

Where the seating capacity of said theatre is two hundred or less, the sum of sixty dollars per year.

Where the seating capacity of said theatre is more than two hundred and less than twelve hundred, the sum of sixty dollars per year, plus an additional fifteen dollars for each one hundred seats or fraction thereof in excess of two hundred seats.

When the seating capacity is twelve hundred or more, the sum of two hundred dollars.

When no quarterly license is taken out by the proprietor of a place in which an entertainment is to be given, the said proprietor shall pay for his license for said entertainment, the sum of five dollars per day or fifteen dollars per week.

The owner or operator of roller skating rinks, or places to be used for roller skating, shall pay to the Commissioner of Accounts and Finances for the license hereinbefore required, the sum of fifteen dollars for one month, five dollars for one week, and no license for any such roller skating rink shall be issued for less than one week.

The licenses above provided for, except those for roller skating rinks, may be issued for the fiscal year or for any quarter year commencing May first, August first, November first or February first, but no license shall be issued for any fraction of said fiscal year or quarter except upon payment of the full rate for said year or quarter year. All yearly licenses shall expire on April thirtieth next after their issuance, and all quarterly licenses at the end of the quarter for which they were issued. The fee

to be charged for quarterly licenses shall be the pro rata portion of the annual rate.

507. Parade—License Shall Specify—Penalty.] § 4. Whenever it is desired to have a parade such as is described in the first section of this article, the license shall be so drawn as to include the same, and shall specify the streets and avenues in and along which any such parade may be made, and such parade shall not be made in or along any other streets or avenues than those named in such license. Any person, firm or corporation so licensed to have a parade who shall violate any of the terms of the license concerning such parade shall be subject to a penalty of not less than fifty dollars nor more than two hundred dollars for each offense.

508. License Subject to Ordinances and in Discretion of Mayor.] § 5. Every license granted under the provisions hereof shall at all times be subject to the ordinances of the city existing when the same shall be issued, or which shall thereafter be passed, so far as the same shall apply. And the Mayor may, in his discretion, refuse to grant any such license when he has reasonable cause to believe that the giving of any such proposed exhibition would be a violation of any ordinance of the city, or he may revoke the same after having been granted for the same reasons.

509. Prohibitions in Licenses — Revocation—Penalty.] § 6. All licenses for entertainments, where a license is required, shall contain a proviso that no gaming, raffle, lottery or chance gift, distribution of money or articles of value shall be connected therewith or allowed by the person obtaining such license, or in anywise permitted or held out as an inducement to visitors; and also a proviso that no indecent, immoral, lewd or scandalous play or other representation shall be given under such license. Whoever shall violate the provisions of his, her or their license, as aforesaid, shall forfeit and pay a fine of not less than five dollars or more than fifty dollars for each offense; and it shall be the duty of the Mayor to revoke the license of any such person or persons upon conviction for any such offense.

510. License—How Taken Out—Penalty.] § 7. It shall be the duty of every proprietor or lessee of any theater, hall or other place where public entertainments are given, before he permits any person or persons to use the same for the purpose of giving any entertainment therein for gain, to obtain from the Mayor the license herein required, either in his own name or in the name of the person proposing to give such entertainment, under a penalty of not more than fifty dollars for each and every violation of this section.

511. Mutilation of Amusement Bills—Penalty.] § 8. It shall not be lawful for any person or persons to destroy, tear, mutilate, cover over or otherwise deface or injure any bill or poster, posted in such place as may be permitted, descriptive of any performance or entertainment given

in any licensed theater or hall, or in pursuance of a license given by the city; and any person or persons violating the provisions of this section shall be subject to a fine of not less than five dollars or not exceeding twenty-five dollars for each violation thereof.

512. Intoxicating Liquors—Penalty.] § 9. It shall be unlawful for any person or persons to sell or give away any spirituous, vinous, malt or other intoxicating liquors in any theater, hall or other building where entertainments are given for gain, or in any room or rooms connected with the same, under a penalty of not less than twenty dollars or more than fifty dollars for each offense.

513. Seats in Passageways—Penalty.] § 10. No chairs, stools or seats of any description shall be placed or permitted to remain in or across the lobby, aisles or passageways in any theater, hall or other public building when occupied by the public, nor shall people be allowed to stand therein, under a penalty of ten dollars for each and every violation of this section; and it shall be the duty of the police force to see that the foregoing provisions are strictly observed, and in case of any violation thereof forthwith to proceed to clear any obstructed aisle, passageway or lobby, and to arrest the offender or offenders.

514. Special Police Patrolmen.] § 11. It shall be the duty of every owner or lessee of every licensed theater, hall or other building to keep and preserve good order in and about his premises, and to that end he shall hire and keep at his own expense a sufficient number of special police patrolmen.

515. Refusal to Move On After Notice—Penalty.] § 12. It shall not be lawful for any person or persons to stand in the lobby or outer entrance of any licensed theater, hall or any other public building, or on the sidewalk adjacent to, and within fifty feet of such entrance, after a request to move on made by the owner, lessee or any police officer, under a penalty of five dollars for every such offense.

ARTICLE II.

AUCTIONS AND AUCTIONEERS.

Section.	Section.
516. Auction Sales—To be Only by Licensees—Penalty.	519. Auction in Streets, etc.,—Penalty.
517. License Fee.	520. Fraud or Deception on Part of Auctioneer—Penalty.
518. Bond.	

516. Auction Sales—To be Only by Licensees—Penalty.] § 1. It shall not be lawful for any person within said city to exercise the busi-

ness, trade or vocation of an auctioneer, or to sell or vend at public auction any goods, wares, merchandise or real estate, or any interest therein, without first having obtained from said city a license for that purpose as hereinafter provided; and any person violating this section shall forfeit and pay not less than five dollars nor more than one hundred dollars for every offense: *Provided*, that sales at public auction made in person by sheriffs, masters in chancery, coroners, collectors, marshals, policemen, constables, executors and administrators, by virtue of their respective offices are hereby exempted from the operation of this section.

517. License Fee.] § 2. The license fee for auctioneers shall be \$50.00 for the period of one year, and \$30.00 for the period of six months. Any other person who shall desire to sell at auction shall pay for such license the sum of \$5.00 per day for the first ten days of such sale, and the sum of \$2.00 per day thereafter during the continuance of any such sale.

518. Bond.] § 3. No person shall receive a license to sell goods at auction in said city until he shall first have executed to the city a bond in the penal sum of one thousand dollars, with two or more sureties to be approved by the council, conditioned for the strict observance of all ordinances of said city respecting auctions and auctioneers.

519. Auction in Streets, etc.—Penalty.] § 4. It shall be unlawful for any auctioneer or his agent or his crier to sell or offer for sale at public auction any articles, goods, wares or merchandise upon any street, alley, sidewalk or public ground, or to hold any auction sale thereon. Any person violating this section shall be fined not less than ten dollars nor more than fifty dollars for each offense.

520. Fraud or Deception on Part of Auctioneer—Penalty.] § 5. Whoever shall exhibit and offer for sale at auction any article, and induce its purchase by any bidder, and shall afterwards secretly substitute any other article for the one so exhibited, with intent to deceive and defraud such bidder; or who shall, while engaged in or about the making of any auction sale, be guilty of any device, trick or fraudulent practise with intent thereby to deceive or defraud any bidder, shall be fined fifty dollars, and the license of such person shall be deemed to be forfeited.

ARTICLE III.

AUTOMOBILES OPERATING FOR HIRE BETWEEN
DEFINITE POINTS

Section.	Section.
521. Automobiles Operating for Hire Between Definite Points—License Required.	526. Placard Indicating Route, Fare, etc.—Lights in Enclosed Cars.
522. Application — Contents — Action on—Modification—Acceptance.	527. License Plate—Expiration of License—Fee for Fraction of Year.
523. License Fee.	528. Bond—Conditions—Additional Bond.
524. Passengers—Number—Manner of Carrying.	529. Penalty.
525. Place of Stopping to Receive and Discharge Passengers.	530. Revocation of License.

521. Automobiles Operating For Hire Between Definite Points—License Required.] § 1. It shall be unlawful for any person, firm or corporation, either as principal, agent or employee, to use or occupy any street, alley or other public place within the corporate limits of the City of Bloomington, Illinois, with any automobile or motor vehicle whatever for the carriage of persons for hire and operating for the purpose of affording a means of local street transportation similar to that ordinarily afforded by street railways, by accepting and discharging such persons as may offer themselves for transportation along the way or course on which it is used or operated or may be running, without first procuring a license therefor as hereinafter required from the City of Bloomington, Illinois.

522. Application — Contents—Action on — Modification — Acceptance.] § 2. Every person, firm or corporation desiring a license for carrying on the business defined by this article shall file with the City Clerk an application therefor, and said application shall be accompanied by a certificate of convenience and necessity from the State Public Utilities Commission, as provided in Section 55 of an act entitled, “An Act to provide for the regulation of Public Utilities,” approved June 30, 1913, in force January 1, 1914. The application shall state:

- (a) The make and type of motor car to be used as such bus;
- (b) The factory number thereof;
- (c) The State license number thereof;
- (d) The seating capacity thereof according to its trade rating. If a motor car has been adapted for use as a bus, either by converting a freight carrying truck into a passenger carrying vehicle, or by reconstructing, modifying or adding to the body of seating arrangements of

a passenger carrying motor, a statement of the following three things shall be added:

- (1) Its carrying capacity in pounds or tons,
- (2) Its seating capacity as adapted,
- (3) The method and materials used in such adaptation;

(e) The name, age and experience of the person to be in immediate charge thereof as driver, who shall be of the age of twenty-one years or over;

(f) The termini between which such motor bus is to be operated.

(g) A schedule showing the times of departure from the termini, according to which it is intended to operate such motor bus, which schedule shall provide for continuous service for at least eight consecutive hours every day during the life of such license.

(h) The specific route, showing the streets, alleys and public places upon which it is intended to operate, together with the operating schedule or headway to be maintained;

(i) The number of cars or motor vehicles to be operated, with the tariff of fares to be charged for such service.

The City Clerk shall promptly refer such application to the Commissioner of Streets and Public Improvements for investigation, who, at the next regular meeting of the council occurring after such filing, shall present the same to the council with his recommendation thereon. The council may grant such application, or if the council shall find that the person named in subdivision "e" of this section is not qualified by experience or otherwise to operate such automobile or motor vehicle, or that the automobile or motor vehicle described in such application is not a safe car to be used for such purpose, or that the territory between the termini described in such application is supplied with ample public transportation facilities, or that the schedule described in such application is not satisfactory, the council may deny such application or change or modify any such route, operating schedule or headway and tariff of fares, and the licensee shall file with the City Clerk a written acceptance of such license agreeing to operate its cars over the route as provided therein and upon the schedule or headway provided therein for the fares and during the entire time prescribed in such schedule and for failure so to do the license shall be subject to revocation.

Upon the granting of such application as filed or modified, and the payment to the Commissioner of Accounts and Finances of the required license fee as hereinafter provided, and the furnishing of the bond hereinafter required to be furnished, the Mayor shall issue a license to operate or cause to be operated the motor bus described between the termini and according to the schedule therein stated or modified, and between no other termini and according to no other schedule. The termini and schedule stated in such license or application may be altered by order of the council at any time upon application of the person holding such license or upon the initiative of the council.

523. License Fee.] § 3. Every person, firm or corporation shall pay to the City of Bloomington as a license fee the following sums:

For each motor vehicle capable of seating five or less persons, including the driver, forty dollars per annum payable quarterly in advance.

For each motor vehicle capable of seating more than five and less than eight persons, including the driver, fifty dollars per annum payable quarterly in advance.

For each motor vehicle capable of seating more than seven and less than thirteen persons, including the driver, sixty dollars per annum payable quarterly in advance.

For each motor vehicle capable of seating more than thirteen persons, including the driver, seventy dollars per annum payable quarterly in advance.

524. Passengers—Number—Manner of Carrying.] § 4. No person, firm or corporation shall accept for carriage any passengers in excess of the number authorized, nor shall any person be permitted to ride upon the running board of said automobile or motor vehicle, nor shall more than one person be permitted to ride in the same compartment with or to occupy the front seat next to the operator, nor shall any person ride or sit in any other portion of said automobile or motor vehicle than upon the seats provided therefor.

525. Place of Stopping to Receive and Discharge Passengers.] § 5. Every automobile or motor vehicle engaged in the business herein defined shall while so engaged stop on the near side of street intersections to take on and discharge passengers, but no such stop shall be made within fifty feet of the near side of the intersecting street.

526. Placard Indicating Route, Fare, etc.—Lights in Enclosed Cars.] § 6. Every automobile or motor vehicle engaged in the business herein defined shall carry placards or other means of indicating the route traveled by it, together with the fare charged therefor, which said placard shall be placed in a conspicuous place on the machine, and in size and style of lettering shall conform to specifications therefor to be obtained from the City Clerk. Every such automobile or motor vehicle being operated between the hours of sunset and sunrise with a top up, or which shall be enclosed, shall have a light sufficient to amply illuminate the interior of such automobile or motor vehicle.

527. License Plate—Expiration of License—Fee for Fraction of Year.] § 7. The City Clerk shall deliver to the licensee at the time of the issuance of such license a metal plate bearing a number and it shall be the duty of such licensee to affix such plate in a conspicuous place on the front or the right side of such automobile or motor vehicle where it can readily be seen; and it shall be unlawful for any person, firm or corporation to use, or cause or permit any agent or employee to use any such automobile or motor vehicle, although duly licensed, upon the streets, alleys or avenues of said city unless such plate is affixed as above provided: *Provided*, that it shall not be necessary for any automobile or motor vehicle to have the aforesaid metal plate affixed as aforesaid except when actually in use upon the streets, avenues or alleys of this city.

All such licenses shall expire on the thirtieth day of April following the date of issue, and when issued for a period of less than one year, the fee to be paid for such license period shall be the pro rata part of the annual rate fixed by this article, but no such license fee shall be less than one-fourth of the annual license rate.

528. Bond—Conditions—Additional Bond.] § 8. Before the license herein provided shall be issued the proposed licensee shall deposit with said City Clerk a bond payable to the City of Bloomington, Illinois, in the penal sum of five thousand dollars, executed by such licensee as principal, and an insurance company duly authorized to do business in the State of Illinois as surety, which bond shall be conditioned to protect and save harmless the City of Bloomington from any and all claim for damages by reason of the issuance of such license or by reason of the operation of such automobile or motor vehicle as herein provided for, and also to insure the payment of any and all damages to the person or property of any person which may be recovered against any such person, firm or corporation by reason of the operation of any such automobile or motor vehicle engaged in the business herein defined. Such bond shall be subject to the approval of the Mayor.

The City of Bloomington reserves the right to require an additional bond at any time during the life of such license whenever in the judgment of the Mayor the security afforded by its standing bond is affected by reason of any accident or the bringing of any suit for damages arising out of any such accident to any person or property by reason of the operation of any such automobile or motor vehicle by any licensee hereunder.

529. Penalty.] § 9. Every person, firm or corporation violating any of the provisions of this article shall, upon the conviction thereof, be subject to a fine of not less than ten dollars nor more than two hundred dollars for each violation.

530. Revocation of License.] § 10. Every such license shall be subject to revocation by the Mayor at any time on proof of violation by the licensee of any of the provisions of this article or of any ordinance of the City of Bloomington now in force or which may hereafter be passed covering the subject matter embraced in this article.

ARTICLE IV.

BARBED WIRE FENCE.

Section.

- 531. No Barbed Wire Fence on Street, etc.
- 532. Refusal to Remove.
- 533. Penalty.

531. No Barbed Wire Fence on Street, etc.] § 1. No fence or barrier consisting or made of what is called "barbed wire," or of which

barbed wire is a part, shall be built, constructed or used within the City of Bloomington, along the line of or in or upon or along any street or alley or public walk or drive, or through, along or around any public park, or in or about or along any land or lots or parks owned or controlled by the City of Bloomington.

532. Refusal to Remove.] § 2. Wherever in the City of Bloomington, in, along or through any public street, alley or park, barbed wire is now in use in part or in whole for fence or barrier, the same shall be removed; and any party or parties owning, controlling or building the same shall upon written notice from the City Engineer remove such barbed wire within thirty days from service of such notice upon the party or parties so building, controlling or maintaining such barbed wire fence or barrier, and upon failure of such party or parties to comply with said notice such party or parties shall be subject to the fine hereinafter provided.

533. Penalty.] § 3. Any person or persons violating any of the provisions of this article shall be liable to a fine of not less than five dollars nor more than twenty-five dollars.

ARTICLE V.

BERRIES, SMALL FRUITS, ETC.—SALE OF.

Section.

534. Berries, Small Fruits, etc—Manner and Mode of Selling.

535. Containers not of Standard Size Must Be Marked—Size of Standard Containers.

536. Penalty.

534. Berries, Small Fruits, Etc.—Manner and Mode of Selling.]

§ 1. All fresh berries, cherries, currants and other similar small fruits sold or offered for sale within the City of Bloomington, for delivery within the said city, shall, in the absence of a contract or agreement in writing to the contrary signed by the parties thereto, be sold by standard dry measure as is fixed by the laws of State of Illinois, in uniform baskets, crates, boxes and other receptacles containing one quart, one pint or one-half pint, standard dry measure, or any multiple thereof, and in no other way, and the said receptacle shall be uniformly and evenly filled throughout.

535. Containers not of Standard Size Must be Marked—Size of Standard Containers.] § 2. No person, firm or corporation shall sell, or offer for sale in the City of Bloomington any fresh berries, cherries, currants or similar small fruits in crates, drawers, baskets, boxes, buckets, or in wooden, wicker, paper or metal containers, in other than the stan-

standard sizes hereinafter defined, unless such crates, drawers, boxes, buckets or wooden, wicker, paper or metal containers are plainly marked, labeled stamped or stenciled in letters or figures not less than one-half inch in height, showing the number of cubic inches in such container, and the proportionate part that the contents of such container bears to the next largest of the standard measures hereinafter defined.

The standard size measures referred to shall consist of bushels, pecks, quarts and pints, and shall contain respectively the following number of cubic inches: one bushel, 2150.42 cubic inches; one peck, 537 cubic inches; one quart, 67.2 cubic inches; one pint, 33.6 cubic inches.

536. Penalty.] § 3. Any person, firm or corporation violating any of the provisions of this article shall be fined in a sum not less than five dollars nor more than one hundred dollars for each offense.

ARTICLE VI.

BILLIARD AND POOL TABLES AND BALL ALLEYS.

Section.	Section.
537. Billiard and Pool Tables— License—Penalty.	539. Bagatelle Tables—Pin Alleys —License—Penalty.
538. Billiard and Pool Tables— Minors—Penalty.	540. License Fee. 541. To be Kept Closed—When.

537. Billiard and Pool Tables—License—Penalty.] § 1. It shall not be lawful for any person in said city to keep in any place of public resort any billiard or pool table or tables with a view of gain, either directly or indirectly, or where money is charged for the use of or for playing on the same, without first having obtained a license for that purpose as hereinafter provided; and any person violating this section shall forfeit and pay not less than twenty-five dollars nor more than one hundred dollars for each offense.

538. Billiard and Pool Tables—Minors—Penalty.] § 2. It shall not be lawful for any person having a license from said city to keep a billiard or pool table or tables, to suffer or permit any minor under the age of eighteen years to play at billiards or pool at or upon any such table, or to frequent, remain at or be harbored in or about any billiard or pool table or room, and any person violating this section shall forfeit and pay not less than five dollars nor more than fifty dollars for each offense; and the magistrate before whom the trial is had may, in his discretion, enter up as a part of the judgment a forfeiture of the license. Knowledge of the age of any such minor shall be conclusively presumed.

539. Bagatelle Tables—Pin Alleys—License—Penalty.] § 3. It shall be unlawful for any person in said city to keep any nine or ten-pin alley, bagatelle table, pin alley or table, or any ball alley, in any place of public resort, with a view of gain, either directly or indirectly, or where money is charged for the use of or for playing on the same, without first having obtained a license for that purpose as hereinafter provided; and any person violating this section shall forfeit and pay not less than twenty-five dollars nor more than one hundred dollars for each offense.

540. License Fee.] § 4. License may be granted to the keeper of any billiard or pool table, bagatelle table, or pin alley on the following terms and conditions:

First—To the keepers of billiard or pool tables, for the term of one year, fifteen dollars for every table, payable quarterly in advance.

Second—To the keepers of bagatelle tables for the term of one year, fifteen dollars for every table, payable quarterly in advance.

Third—To keepers of nine or ten-pin alleys for the term of one year, twenty dollars for every alley, payable quarterly in advance.

541. To be Kept Closed—When.] § 5. All billiard room and ten-pin alleys within said city shall be kept closed on Sundays; and on week days they shall be closed by eleven o'clock in the evening of each day and be kept closed until five o'clock in the morning of the next day following, and any person violating this section shall be fined for each offense not less than ten dollars nor more than fifty dollars.

ARTICLE VII.

BILL POSTING, ETC.—BILL BOARDS.

Section.	Section.
542. Bill Posting, Distributing Hand Bills, etc.—License—Penalty.	548. Bills Advertising Medicine or Medical Skill—Samples—Penalty.
543. Employee of Unlicensed Person—Penalty.	549. Distribution Near School, etc.—Penalty.
544. License Fee.	550. Bill Boards—Excluded from Streets, etc.—Penalty.
545. Revocation.	551. Bill Boards—Permission of Council to Erect—Penalty.
546. Immoral Bills Prohibited—Penalty.	552. Bill Boards—Location and Construction.
547. Posting in Certain Places Prohibited—Penalty.	553. Bill Boards—Maintenance—Penalty.

542. Bill Posting, Distributing Hand Bills, etc.—License—Penalty.]
§ 1. No person, firm or corporation shall carry on the business of bill

posting or the business of distributing hand bills, samples or advertisements of any kind within the limits of the City of Bloomington without first having obtained a license therefor, under a penalty of not less than twenty dollars nor more than one hundred dollars.

543. Employee of Unlicensed Person—Penalty.] § 2. Any person posting bills or distributing hand bills, samples or advertisements of any kind for any person, firm or corporation engaged in any business described in the first section of this article, and which person, firm or corporation has not been licensed as herein required, shall be fined not less than ten dollars nor more than one hundred dollars.

544. License Fee.] § 3. Every person, firm or corporation carrying on the business of bill posting within the City of Bloomington shall pay an annual license fee of fifty dollars: *Provided*, that in cases in which the said licensee does not use a self-propelled or horse-drawn vehicle of any kind in said business, the annual license fee shall be fifteen dollars.

Every person, firm or corporation carrying on the business of distributing hand bills, samples or advertisements of any kind within the City of Bloomington shall pay an annual license fee of fifty dollars: *Provided*, that in cases in which the said licensee does not use a self-propelled or horse drawn vehicle in said business the annual license fee shall be fifteen dollars.

Licenses to distribute hand bills, samples or advertisements of any kind for one day may be issued upon the payment of one dollar for every person so distributing, and one dollar for every self-propelled or horse-drawn vehicle used in such work.

545. Revocation.] § 4. All licenses issued under this article may be revoked by the Mayor when in his discretion such revocation will be for the best interests of the public.

546. Immoral Bills Prohibited—Penalty.] § 5. No person, firm or corporation shall post or distribute or cause to be posted or distributed within the limits of the City of Bloomington any bills or advertisements containing pictures, illustrations or written or printed accounts of an obscene or immoral character, under a penalty of not less than fifteen dollars nor more than one hundred dollars for each offense.

547. Posting in Certain Places Prohibited—Penalty.] § 6. No person, firm or corporation shall paste, paint, print, nail or attach, or cause to be pasted, painted, printed, nailed or attached, any hand bill, sign, poster, advertisement or instrument of any kind on any curb stone, flag stone, or any portion or any part of any sidewalk or upon any tree, lamp post, hitching post, telegraph, telephone or electric light pole, hydrant or police patrol box, or upon any private wall, door, gate or fence without the consent in writing of the owner thereof. Any person violating any of the provisions of this section shall be fined not less than five dollars nor more than twenty-five dollars for each offense.

548. Bills Advertising Medicine or Medical Skill—Samples—Penalty.] § 7. No person, firm or corporation shall place, post or distribute or cause to be placed, posted or distributed in the City of Bloomington

any poster, hand bill, advertisement or other instrument giving notice of any person having or professing to have skill in the treatment or cure of any disorder or disease, or giving notice of any sale or exposure for sale of any nostrum or medicine. No person, firm or corporation shall distribute or cause to be distributed any sample of medicine or herbs of any kind within the limits of said city. Any person, firm or corporation violating any of the provisions of this section shall be fined not less than five dollars nor more than fifty dollars for each offense, and every single placing, posting or distributing shall be considered a separate offense.

549. Distribution Near School, Etc.—Penalty.] § 8. No person, firm or corporation shall distribute or cause to be distributed any hand bills, tickets, samples or advertisements of any kind whatever to any child or children within a radius of one thousand feet of any public or private school house or place used for school purposes, or any public or private building in which children may assemble or meet, nor shall any such matter be so placed that the same may be accessible to any child or children within such distance. All violations of this section shall be punished by a fine of not less than five dollars nor more than twenty-five dollars.

550. Bill Boards—Excluded From Streets, etc.—Penalty.] § 9. No person, firm or corporation shall place or cause to be placed any bill board on any street, sidewalk, alley or public place in the City of Bloomington; or attach or cause the same to be attached to any post, telegraph, telephone or electric light pole, or any tree, in any street, alley or public place in said city. Violations of this section shall subject the offender to a penalty of not less than ten dollars nor more than fifty dollars for each offense.

551. Bill Boards—Permission of Council to Erect—Penalty.] § 10. No bill board hereafter shall be erected in the City of Bloomington, whether the same be upon public or private property, without first obtaining permission therefor from the council. Upon an application being made for such permission, the council may refer the same to the Mayor or any commissioner with power to act. Violations of this section shall subject the offender to a penalty of not less than fifteen dollars nor more than one hundred dollars for each offense.

552. Bill Boards—Location and Construction.] § 11. All bill boards hereafter constructed in said city shall be placed at least two feet from the street or alley line along which the same are built, and no part of any such bill board, except the supports thereof, shall be less than two feet above the ground. Whoever violates any of the provisions of this section shall be fined not less than fifteen dollars nor more than one hundred dollars for each offense.

553. Bill Boards—Maintenance—Penalty.] § 12. No bill board shall be permitted to become unsightly by reason of the accumulation of old bills thereon, or be allowed to remain in a dilapidated condition or out of repair, under a penalty of not less than ten dollars nor more than twenty-five dollars for each offense.

ARTICLE VIII.

BOILERS.

Section.

554. Steam Boilers, etc.—Inspector May Enter Premises to Inspect—Penalty.
555. Steam Boilers, etc.—Unsafe Condition—Notice—Penalty.

554. Steam Boilers, etc.—Inspector May Enter Premises to Inspect—Penalty.] § 1. The Inspector of Buildings shall have power and authority to enter at all reasonable times any house, building or premises in the City of Bloomington for the purpose of inspecting any steam boiler, generator, superheater, tank or cooker therein subject to steam pressure. Any person who shall refuse the said inspector such entrance, or hinder or obstruct him in said inspection, shall be fined not less than five dollars nor more than twenty-five dollars for each offense.

555. Steam Boilers, etc.—Unsafe Condition— Notice—Penalty.] § 2. Whenever the said inspector shall find that any steam boiler, generator, superheater, tank or cooker subject to steam pressure, is from any cause in an unsafe condition for use, he shall serve the owner, lessee or user thereof with a written notice immediately to cease the use of such boiler, generator, superheater, tank or cooker, and not resume the use thereof until it has been put in a safe condition and has been inspected and approved by said inspector. Any person, firm or corporation violating the terms of such written notice shall be deemed guilty of a violation of this section and shall be subject to a penalty of not less than ten dollars nor more than fifty dollars.

ARTICLE IX.

BUILDERS AND CONTRACTORS.

Section.

556. License—Penalty.
557. Application for License.
558. License Fee—Agreement.

556. License—Penalty.] § 1. No person shall carry on the business of a builder or contractor for the erection of buildings, repairing of buildings, roofer or cornice maker, or the setting up of heating and ventilating appliances in houses, within said city, without first having obtained a license therefor, under a penalty of not less than five dollars nor more than two hundred dollars for each offense.

557. Application for License.] § 2. Application for such license shall be made to the Superintendent of Buildings in writing; it shall state the full name of the applicant, the firm name under which the business is to be carried on, with the name of each member of any firm, the place of residence of each, and the existing or proposed place of business.

558. License Fee—Agreement.] § 3. Before any license shall be granted to any person to carry on any of the classes of business mentioned in section one of this article, the person applying therefor, shall pay the Commissioner of Accounts and Finances a license fee of one dollar per annum, and shall execute and file with the Superintendent of Buildings an agreement whereby in consideration of the granting to him of such license he agrees to comply with all the ordinances of said city in the execution and protection of the work he is to do in pursuance of such license, or in default thereof will submit to such penalties as are or may be prescribed by the city council.

ARTICLE X.

BUILDINGS.

Section	Section
559. Building to Accord With Ordinances—Penalty.	570. Form of Statement Prescribed by Board—Blanks.
560. Building Not in Accord With Ordinances — Nuisance — Penalty.	571. Kind of Buildings Allowed in Fire Limits.
561. No Erection, Alteration or Repairs Without Permit—Penalty.	572. Wooden Buildings May be Repaired.
562. Ordinary Repairs Excepted.	573. Roofs of Frame Buildings Damaged by Fire, etc.
563. Dangerous Building—Nuisance.	574. Frame Buildings May Have Flat Roofs.
564. Dangerous Building — Proceedings to Abate.	575. Calculation for Strength of Materials.
565. Hearing — Decision—Order.	576. Sale of Imperfect Material—Penalty — Superintendent May Cause Such Removed.
566. Failure to Comply With Order—Penalty.	577. No Building to be Altered Until Approved.
567. Cost of Repairs or Removal —Owner to Pay.	578. When Building Not to be Repaired.
568. Dangerous Condition—Emergency.	579. Arbitration for Damaged Buildings.
569. Permit for Erection, etc., of Building — Application — Issuance.	580. Proceedings by Arbitrators.
	581. Owner Failing to Ask for Arbitration.

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582. Elevator for Grain—Ice Houses.	615. What Buildings to Have Standpipes.
583. Construction of Buildings.	616. Signs.
584. Depth of Foundations.	617. Headers, Joists and Floor Beams.
585. Piling.	618. Fire Places and Hearths.
586. Foundations.	619. Joists and Beams.
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589. Height of Stories.	622. Construction of Elevator Shaft.
590. When Walls are to be Increased.	623. Elevator Shafts—Doors to, etc.
591. Walls for Trussed Roofs.	624. Wall, etc., Not to Project Beyond Building Line.
592. Buttresses.	625. Iron Shutters.
593. Cut Stone and Ashlars.	626. Doors—Shall Open Outward.
594. Party Walls.	627. Theatres, etc., Means of Egress.
595. Openings in Party and Division Walls.	628. Means of Egress in Other Buildings.
596. Piers Under Lintels, Girders, Plates and Columns.	629. Heating Appliances — Arrangement of.
597. Piers and Buttresses to be Bonded.	630. Boiler Houses and Rooms.
598. Columns.	631. Floors in Boiler Rooms.
599. Domes and Mansard Roofs.	632. Steam Pipes—Protection of.
600. Slate Covering.	633. Pipes Let into Joists, etc.—Protection of.
601. When Not to Exceed Eighty-five Feet in Height.	634. Walls to be Braced During Erection of.
602. Fireproof Buildings.	635. Term “Business Building” Defined.
603. Fire Walls in Dwellings, etc.	636. Terms Defined.
604. Fire Walls in Business Buildings.	637. Basement Defined.
605. Rear Wall Within Fire Limits.	638. Height of Buildings.
606. Chimneys and Flues—Construction of.	639. Chimney Not to Rest on Wood-work.
607. Walls to be Anchored to Joists, etc.	640. Posts and Guy Ropes.
608. Hollow Walls.	641. Using Street—Permit for.
609. Backing for Iron Fronts.	642. Public Hall Defined.
610. Composition Roofs Within Fire Limits.	643. Stairways in.
611. Skylights—Protection of.	644. Exits, etc.
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647.	Partitions in Theaters—Construction of.	662.	Board Partitions—Size—Not Used as Supports—When.
648.	Theaters, etc.—Asbestos Curtain.	663.	Unsafe Flues, Chimneys and Heating Apparatus—Penalty.
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650.	Ventilator Over Stage.	665.	Distance Between Frame Houses.
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655.	Fire Extinguishing Apparatus Required.	670.	Stone Not to be Dressed Up on Street.
656.	Shall Employ Firemen.	671.	Plans Not to be Changed After Permit.
657.	Recess, Chase or Flue.	672.	Penalty.
658.	Side Walls Not to be Built in Advance of Rear Wall.	673.	Fire Limits.
659.	Buildings to Have Division Walls.		
660.	Steam Boilers, etc.—Permits to Set.		
661.	Construction of Floors.		

559. Building to Accord With Ordinances—Penalty.] § 1. No building or structure of any kind or description shall be erected, constructed, altered or repaired within the limits of the City of Bloomington except in the manner prescribed by the ordinances of said city; and whoever shall violate this section shall be subject to a fine of not less than five dollars nor more than two hundred dollars for each offense.

560. Building Not in Accord With Ordinances—Nuisance—Penalty.] § 2. Any building or structure erected, constructed, altered or repaired within said city in such manner that it does not comply with the ordinances of said city, is hereby declared a nuisance; and the person, firm or corporation so erecting, constructing, altering or repairing any such building or structure shall be subject to a penalty of not less than five dollars nor more than two hundred dollars for each offense, and shall be liable to a like penalty for each day any such building or structure shall be permitted to continue in such condition after the first conviction.

561. No Erection, Alteration or Repairs Without Permit—Penalty.] § 3. No building or structure, and no elevator therein or connected therewith, within said city, shall be erected, constructed, altered or repaired without a permit therefor from the Superintendent of Buildings, and any person guilty of a violation of this section shall be fined not less than five dollars nor more than two hundred dollars for each offense.

562. Ordinary Repairs Excepted.] § 4. All ordinary repairs not affecting the construction of the external or party walls, roof, chimneys, stairways or height of a building, nor changing the heating appliances, may be made without a permit.

563. Dangerous Building—Nuisance.] § 5. Any building, wall or structure which is unsafe or dangerous to occupants or passers-by, or to adjoining buildings, or which is unsafe or dangerous for the purpose for which it is used, or is in danger of being set on fire from any defect in its construction, or is especially dangerous in case of fire by reason of the bad condition of walls or lack of sufficient stairways and means of egress in case of fire, or from overloaded floors, defective construction or other cause, is hereby declared to be a nuisance.

564. Dangerous Building—Proceedings to Abate.] § 6. Whenever it shall come to the knowledge of the Superintendent of Buildings, or complaint shall be made to him by two citizens, that any building, wall or structure within said city is in the condition or of the character described in the preceding section, said superintendent shall forthwith fix a time and place when and where the Board for the Inspection of Buildings shall sit to hear and decide whether any such building is in such dangerous condition, and shall cause a notice of such meeting, stating the time, place and purpose thereof, to be served upon the owner, owners or occupants thereof, if he or they reside within the city, and if the owner, owners, agent or occupant of such building cannot be found within said city, then such notice shall be published for three consecutive days in the official paper of said city. Such notice shall be served or such publication completed at least two days before the time fixed for holding such meeting.

565. Hearing—Decision—Order.] § 7. At such meeting said board shall proceed to hear all the evidence offered by anyone interested in the matter, and also personally inspect the premises, and shall thereupon decide whether or not such building is in any such dangerous condition, and such decision shall be entered at length upon the records of the proceedings of said board, and shall describe wherein the danger, if any, exists, and said board, if in its judgment the evidence so warrants, shall enter upon its records an order directing the owner or owners, agent or occupant, within a reasonable time, to be fixed by said board and specified in such order, to make the same safe, in such way as may be directed by said board and specified in such order, or to tear down and remove the same, if a removal thereof is deemed necessary by said board.

566. Failure to Comply With Order—Penalty.] § 8. Whenever any owner, owners, agent, lessee or occupant shall neglect or refuse to comply with any order made under the provisions of the preceding section, within the time specified in such order, he shall be subject to a fine of not less than ten dollars nor more than one hundred dollars for each day such violation of any such order shall continue after the expiration of

the time specified in such order, and the superintendent shall, upon the direction of the said board, proceed to tear down and remove said unsafe or dangerous structure, or to make the same safe, as may be directed by said board.

567. Cost of Repairs or Removal—Owner to Pay.] § 9. An itemized account of the expense of tearing down and removing such structure or of putting the same into a safe condition, shall be kept by the Superintendent of Buildings, and shall be presented to the owner of such structure for payment; in case the owner shall fail or refuse to pay the same on demand, then the same may be recovered from such owner in an action of debt in the name of the city.

568. Dangerous Condition—Emergency.] § 10. In all cases where the public safety requires immediate action, the superintendent may enter upon the premises, without the preliminary direction of the board, with such assistance as may be necessary and cause the said structure to be secured or taken down without delay.

569. Permit for Erection, etc. of Building—Application—Issuance.] § 11. Before the erection, construction, alteration or repair of any building or structure, or any elevator, hoistway or heating appliance in or connected with any building or structure in the City of Bloomington, for which a permit is required by this article, the owner, architect or builder shall submit to the Superintendent of Buildings at his office full specifications and plans of the proposed construction, alteration or repairs, and file a detailed statement thereof in writing; such statement shall give:

First—The location of the proposed work.

Second—General dimensions, number and height of stories.

Third—Dimensions of joists and timbers and distance apart.

Fourth—Dimensions of supporting iron work.

Fifth—For what purpose the building is designed to be used.

Sixth—The estimated cost thereof.

The owner, his agent or architect, shall then sign an agreement that he will construct the work in accordance with the description as set forth in the specifications, plans or detailed statement, and that all matters and things connected with such construction or alteration of any building shall be done in strict compliance with the ordinances of said city and the direction of the said superintendent. If, upon consideration of such specifications, plans, statements and agreements, it shall appear to said superintendent that the manner of erection, character of construction and kind of material are in accordance with the ordinances of said city, the said superintendent shall thereupon grant a permit to make such construction or alteration, and it shall not be lawful to proceed to construct, alter or repair any building within the corporate limits of said city without first obtaining said permit. The fees prescribed by ordinance shall

be paid at the time of making the application for a permit, but the amount of the fees shall be fixed by the superintendent after examination of the application and the fees so fixed by him shall be paid before any permit shall be issued.

570. Form of Statement Prescribed by Board—Blank.] § 12. The form of the application and detailed statement and agreement required by the preceding section shall be prescribed by the Board for the Inspection of Buildings, and may be obtained at the office of the superintendent.

571. Kind of Buildings Allowed in Fire Limits.] § 13. Every building hereafter erected within the fire limits shall be of brick, stone, iron or other substantial or incombustible material. Temporary sheds may be erected to facilitate the building of authorized structures. Wooden coal sheds may be erected, but shall not exceed ten feet in height at the highest point thereof, and shall not be more than one hundred feet square in area. Privies may be constructed of wood, when not in violation of any other ordinance of the city, but shall not exceed ten feet in height at the highest point and shall not be more than thirty-six square feet in area. Such sheds and privies shall be separate structures. The materials in all buildings, the mode of construction and the location shall be approved by the Superintendent of Buildings.

572. Wooden Buildings may be Repaired.] § 14. Any wooden building within said fire limits may be altered or repaired in any manner approved by the superintendent, provided neither its area nor its height is increased.

573. Roofs of Frame Buildings Damaged by Fire, etc.] § 15. The roof of any frame building within the fire limits more than one story high, that is damaged by fire or otherwise less than fifty per cent of the cost of a similar new roof, may be repaired. If the roof is damaged more than one-half such value, and is not a fire-proof roof, the entire roof shall be taken off, and a new roof put on, having a covering of incombustible material.

574. Frame Buildings May Have Flat Roofs.] § 16. Any frame building within the fire limits having a pitched roof covered with shingles or other combustible material, may have a flat roof of incombustible material substituted for the pitched roof, and the walls of the building carried up to meet the requirements of such change in the pitch of the roof: *Provided*, that the highest point of such flat roof shall not exceed the highest point in the roof to be removed.

575. Calculation for Strength of Materials.] § 17. In all calculations for the strength of materials to be used in any building, the proportion between the safe weight and the breaking weight shall be as one to three for all beams, girders, and other pieces subjected to a cross strain, and as one to six for all joists, columns and other vertical supports,

and for all tie rods, tie beams, and other pieces subjected to tensile strain.

576. Sale of Imperfect Material—Penalty—Superintendent May Cause Such Removed.] § 18. It shall be unlawful for any person, firm or corporation to dispose of or deliver at any place within said City of Bloomington, to be used in any building or structure, any soft, shelly, or imperfectly burned or refuse brick, or any other unsuitable material; and whoever shall violate the provisions of this section shall be fined not more than two hundred dollars for each offense. The Superintendent of Buildings shall have the power to order the removal of any soft, shelly, or imperfectly burned or refuse brick or other unsuitable materials found adjoining or upon any premises within said city where buildings, repairs, alterations or additions are in progress, and it shall be the duty of the owner, architect or builder, upon being notified by said superintendent, immediately to cause the same to be removed, under a penalty of not less than five dollars nor more than two hundred dollars for each offense.

577. No Building to be Altered Until Approved.] § 19. No building now or hereafter erected shall be altered until it has been examined and approved by the superintendent as being in good and safe condition to be altered as proposed, and the alteration so made shall conform to the provisions of the ordinances of the city.

578. When Building Not to be Repaired.] § 20. It shall be unlawful to repair any frame building within the fire limits of the City of Bloomington when such building shall have been damaged by fire or decay to the extent of sixty-five per cent of the value of such building.

579. Arbitration for Damaged Buildings.] § 21. Whenever any frame building shall have been damaged by fire or other casualty, or decay, to an extent which in the judgment of the Superintendent of Buildings exceeds sixty-five per cent of the value of such building, if the owner or owners of such building object to such conclusion arrived at by said superintendent, he or they may file with said superintendent a petition asking for arbitrators to determine the question of damage, or if the superintendent should conclude that the damage is less than sixty-five per cent then the owner or owners of adjacent property may claim an arbitration to ascertain the damage to such building. In either case the party asking for arbitration shall pay fifty dollars to the superintendent on filing his petition, which shall be in full of all costs of such arbitration. The arbitrators shall consist of three disinterested persons, one to be chosen by the superintendent, and one by the owner, and the two thus chosen shall select a third, and a decision of a majority of the persons so selected shall be final and conclusive.

580. Proceedings by Arbitrators.] § 22. Arbitrators selected to ascertain such extent of damages, before entering upon their work shall take and subscribe an oath before some officer authorized to administer oaths,

that they will make a thorough examination of the premises damaged as aforesaid, and make a just and true report to be signed in duplicate, the original to be handed to the superintendent and the duplicate given to the owner of the premises in question.

581. Owner Failing to Ask for Arbitration.] § 23. Whenever the owner, agent or agents shall refuse or neglect after five days' notice in writing to petition for arbitration it shall be lawful for the superintendent to declare the premises described in such notice as having been damaged to the extent of sixty-five per cent of its value, if in his judgment such is the fact.

582. Elevator for Grain—Ice Houses.] § 24. Any elevator building or ice house may be constructed of wood, the external walls and roof being protected by an envelope of incombustible material. The walls of the first story of elevators shall be of masonry not less than twenty inches thick; all window frames and sash in the upper structure shall be of iron; the openings shall have protection of wire grating No. 14 gauge, with meshes not over one-half inch. The opening in the body of the building, and in the engine house shall have suitable iron shutters.

583. Construction of Buildings.] § 25. All buildings hereafter erected within said city, other than frame or wooden buildings, shall have all walls constructed of stone, brick, iron, or other hard, incombustible material, properly bonded and solidly put together with close joints, and the walls of all buildings shall be built to a line and carried up plumb and straight, and the several component parts of such buildings shall be built and constructed in such manner as herein provided.

584. Depth of Foundations.] § 26. All foundation walls where exposed to frost, shall not be less than two feet below the surface of the earth, on good solid bottom, and in case the nature of the earth requires it, piles shall be driven, or timbers laid of sufficient size and thickness to prevent the walls from settling. The top of such piles or timber bottom must be driven or laid below the line of sewer drainage. All piers, columns and posts resting on the earth shall be set on a bottom in the same manner as the foundation walls.

585. Piling.] § 27. Piles driven for a wall to rest upon shall be not less than five inches in diameter at the smallest end, and shall be spaced not more than three feet on centers in the direction of the length of the wall, and nearer, if required by the superintendent; they shall be driven to a solid bearing, to be ascertained by boring, at the expense of the owner, when required by the superintendent. All piles must be cut off below sewer drainage.

586. Foundations.] § 28. Proper foundations of masonry shall be prepared for the support of all buildings. The breadth of the foundation of the several parts of any building shall be proportioned so that as nearly as practicable, the pressure shall be equal on each square foot of the founda-

tion. Water, lime, cement and mortar shall be used in the masonry of all foundations exposed to dampness. As soon as the walls of any building are built above the grade of the street or lot, it shall be the duty of the contractor or owner to have the space on the outside of said walls filled up in a substantial manner, and if said building is erected on or near any alley line, and the alley is paved, it shall be the duty of the contractor or owner to grout said space and replace any pavement impaired or removed in a thorough and substantial manner as soon as said walls are above grade.

587. Construction of Masonry Walls.] § 29. The parts of the walls of all buildings that are below the surface of the ground, shall be built of concrete, or stone or brick laid in cement mortar; all other walls may be built of brick, stone, iron or other hard incombustible material; and when brick or stone are used they shall be laid in lime or cement mortar. The bricks used in all buildings shall be hard, well burned brick; no swelled, refused, soft or salmon brick shall be used, and in all brick walls every sixth course shall be a heading course, except where walls are faced with brick in running bond, in which case every sixth course shall be bonded into the backing by cutting the course of face brick and putting clipped headers behind the same, or by splitting the face brick in half and backing the same with a continuous course of headers. All brick laid in non-freezing weather shall be well wet immediately before being laid. The sand used for mortar in all buildings shall be clean, sharp sand, and shall not be finer than the standard samples kept in the office of the Superintendent of Buildings, which samples shall be approved by the Board for the Inspection of Buildings and be kept in suitable glass jars. Cement mortar shall be made of sand and cement in the proportion of not more than three parts of sand to one part of cement, and shall be used as soon as mixed. Lime mortar shall be made of not more than three parts of sand to one part of lime, and shall not be used before being thoroughly slacked. Cement and lime mortar shall be made of one part cement, one part of lime and four parts of sand. Concrete foundations shall be made of one part of cement, two parts of sand and five parts of small broken stone, all carefully mixed. No inferior lime or cement shall be used. The joints of all walls shall be filled with mortar, and the joints of all flues shall be struck perfectly smooth on the inside.

588. Thickness of Walls.] § 30. All walls for business buildings one hundred feet or more in length shall be not less than the thickness designated in the following table.

INCLOSING WALLS							
	In Basement.	In 1st. Story.	In 2nd Story.	In 3rd Story.	In 4th Story.	In 5th Story.	In 6th Story.
One story high.....	12	12					
Two stories high.....	16	16	12				
Three stories high.....	16	16	12	12			
Four stories high.....	20	16	16	12	12		
Five stories high.....	24	20	20	16	16	12	
Six stories high.....	28	24	20	20	16	16	12
Seven stories high.....	32	28	24	24	20	16	12
DIVISION OR PARTY WALLS IN BUSINESS BUILDINGS							
For three story buildings.....	16	12	12	12			
For four story buildings.....	20	16	16	12	12		
For five story buildings.....	24	20	20	16	16	12	
For six story buildings.....	24	20	20	20	16	16	12
For seven story buildings.....	24	20	20	20	20	16	16
FRONT AND REAR WALLS, IF NOT BEARING WALLS, IN BUSINESS BUILDINGS							
Of four story buildings.....	20	16	16	12	12		
Of five story buildings.....	20	20	16	12	12	12	
Of six story buildings.....	24	20	20	16	16	12	12
Of seven story buildings.....	24	20	20	20	16	16	12
CROSS PARTITION WALLS IN BUSINESS BUILDINGS.							
For one story.....	12	8					
For two stories.....	16	12	12				
For three stories.....	16	12	12	12			
For four stories.....	20	16	16	12	12		
For five stories.....	20	20	16	16	12	12	
For six stories.....	24	20	20	16	16	12	12
For seven stories.....	24	20	20	20	16	16	12

It shall be permissible to use pilasters supporting beams or girders in all such buildings, but in all such cases the said pilasters shall conform in carrying strength to the above table, and shall meet the approval of the Inspector of Buildings.

In four-story buildings less than one hundred feet deep, the third and fourth story walls may be twelve inches; five-story buildings less than one hundred feet deep, may have the walls of the fifth story twelve inches; in five-story buildings any front or rear walls supporting beams or girders

shall be increased eight inches by two feet forming buttresses or pilasters directly under such beams or girders.

589. Height of Stories.] § 31. The height of stories for all given thickness of walls must not exceed eleven feet in the clear for basement, eighteen feet in the clear for the first story, fifteen feet in the clear for the second story, and fourteen feet in the clear average height of upper stories. If any story exceeds these heights respectively, the wall of such story and of all the stories below the same shall be increased four inches in thickness additional to the thickness already required.

590. When Walls are to be Increased.] § 32. Whenever it is sought to increase the height of any building beyond the height for which the original permit was granted, the thickness of the walls thereof shall also be increased in accordance with the above table, but no additional height shall be added until a permit is granted for the same.

591. Walls for Trussed Roofs.] § 33. The outside walls of rooms having trussed roofs or ceilings, such as churches, public halls, theaters, dining rooms, or the like, if more than fifteen and less than twenty-five feet high, shall average at least sixteen inches; if over forty feet high, at least twenty-four inches in thickness. An increase of four inches in thickness shall be made in all cases where the walls are over one hundred feet long, unless there are cross walls of equal height.

592. Buttresses.] § 34. If solid buttresses are employed with a sectional area of three hundred or more square inches, placed less than eighteen feet apart, and extended to or nearly to the top of the walls, four inches may be deducted from the thickness of any wall having such buttresses.

593. Cut Stone and Ashlars.] § 35. Cut stone facing of walls shall be backed up with brick work of the same thickness that is required where no cut stone is used; in cases where the cut stone is in a great measure self-supporting, four inches less of brick backing may be used; ashlar fronts properly bonded to the brick work may have backing the same as self-supporting stone front or wall.

594. Party Walls.] § 36. Any party wall now existing that shall have been built conformably to the requirements of the ordinances regulating the construction of such walls in force at the time of such construction, if sound and in good condition, may be used in the construction of an adjoining building: *Provided, however,* that no brick work shall be placed on such wall to give additional height to the wall unless the thickness of such additional wall and the thickness of the old wall in each story shall at least equal the thickness required for division walls. This shall apply in all cases where it is desired to add additional height to any business building. In case of outside walls of any business building being built against the walls of any old building, (not being a party wall) the new wall shall be of the same thickness required for outside walls in such building.

595. Openings in Party and Division Walls.] § 37. No opening or doorway shall be cut through a party or division wall of any brick or concrete building without a permit from the Superintendent of Buildings, and every such doorway shall have the top, bottom and sides of stone, brick or iron. Every such opening or doorway shall be closeted by two sets of wrought iron or metal covered doors separated by the thickness of the wall, hung to rabbited iron frames or to wooded frames entirely covered with metal or to iron hinges in brick or stone rabbits; it shall not exceed ten feet in height by eight feet in width, and any opening other than a doorway shall be protected satisfactorily to the superintendent.

596. Piers Under Lintels, Girders, Plates and Columns.] § 38. Brick piers under lintels, girders or columns of brick buildings shall have a cap iron at least two inches thick the full size of the pier. Metal columns placed one on top of the other shall have a plate at the top of each column, with projections on all sides to fit into the cap and base of columns to prevent slipping, and all columns shall have holes bored when directed by the Superintendent of Buildings, into and through the shell at right angles to the shaft, so as to show the thickness of the shell, if required. All bearing parts of columns and plates shall be planed or turned to true surface.

597. Piers and Buttresses to be Bonded.] § 39. Brick piers and buttresses shall be bonded with through courses, leveled and bedded at each course, and where their foundations rest on piles a sufficient number shall be driven to insure proper support.

598. Columns.] § 40. Every metal column in a brick building shall rest on an iron plate of not less thickness than two inches. Wooden columns, supporting girders and floors in such buildings shall set on inch and a half iron plates with sockets or counter sinkages.

599. Domes and Mansard Roofs.] § 41. Domes of any business building shall be made so that wood is entirely excluded in their construction. All mansard or other roofs having a greater inclination than sixty-five degrees, shall be rendered fireproof by coating the sheeting at least one inch deep with a firm plaster of cement immediately under the incombustible weather coverings of such roofs; strips one inch square may be fastened to the sheathing to receive the fastenings of the slate, tile or metallic roofing; the cement plasterings shall be laid flush with such strips.

600. Slate Covering.] § 42. Slate covering of roofs in the fire limits which have a less inclination than sixty-five degrees or the roofing of spires or similar construction, may be fixed directly to wood sheathing or lath: *Provided*, that each course of slating shall be pointed with cement in the joints as far as such points are to be covered by the succeeding course; also that a bed of similar cement shall be spread on the sheathing at the upper end of the slate, at least five inches in width, and made flush with course of slate already laid, and forming a bed for the succeeding

course of slate. When slates are secured to lath, the entire under side of such slate roofing shall be pointed with cement mortar in the usual and best manner.

601. When Not to Exceed Eighty-five Feet in Height.] § 43. No building hereafter erected, except churches and grain elevators, shall exceed a greater height than eighty-five feet at the highest point from the level of the sidewalk, exclusive of chimneys and party or fire walls above the roof, unless the same is constructed throughout of incombustible material, excepting interior finish: *Provided*, that buildings already erected to which additional stories are added may be carried up of ordinary construction to the said eighty-five feet, but above that height shall be fireproof as herein defined.

602. Fireproof Buildings.] § 44. Every building hereafter erected within said city of more than eighty-five feet in height from the level of the sidewalk to the highest part, except chimneys and fire or party walls above the roof, shall be built fireproof, that is to say, shall be constructed with walls of brick, stone, iron or other hard incombustible materials, in which timber lintels or bond timbers shall not be placed, and in which the floors and roof shall be of materials similar to the walls. The stairs and staircase landings shall be built entirely of brick, stone, iron or other hard incombustible materials. No wood work or other inflammable materials shall be used in any of the partitions, furings or ceilings in any such fireproof buildings, except that the door and window frames, the trims, casings, the interior finish and the floor boards and sleepers directly thereunder may be made of wood: *Provided*, that buildings already erected to which additional stories are added may be carried up of ordinary construction to the said eighty-five feet, but above that height shall be fireproof as herein defined.

In all fireproof buildings hereafter constructed, the following rules must be observed:

First—All iron columns shall be made true and smooth at both ends and shall rest on cast iron plates, and have cast iron caps, which shall also be made true. All iron trimmers, beams, headers and tail beams shall be suitably framed and connected together, and the iron girders, columns, beams and trusses, and all other iron work of floors and roof, shall be strapped, bolted, anchored and connected together, and connected to the walls, in a strong and substantial manner.

Second—Under the ends of all beams where they rest on the walls, a stone or cast iron template must be built into the walls, said template to be at least twelve inches wide and not less than sixteen inches long.

Third—All brick or stone arches placed between iron floor beams shall be at least four inches thick and have a rise of at least one and a quarter inches to each foot of span between the beams. Arches over five feet span shall be properly increased in thickness as required by the superintendent, or the space between the beams may be filled in with sectional hollow brick of burnt clay, or some equally good fire proof material, having a depth of

not less than one and one-quarter inches to each foot of span, a variable distance of not over six inches in the span between the beams being allowed.

Fourth—The said brick arches shall be laid to a line on the centers, with close joints, and the brick shall be well wet, and the joints filled with cement mortar in proportion of not more than two parts of sand to one of cement by measure; the arches shall be well grouted and pinned or chinked with slate, and keyed.

603. Fire Walls in Dwellings, etc.] § 45. All dwelling houses in the fire limits, including those having the first story used for business purposes, and all other buildings that are not more than two stories high, having flat roofs, shall have their side walls extend sixteen inches above the roof, and not less than eight inches thick, and have proper copings of incombustible material; double pitched roofs shall have their division and side walls carried up, forming fire walls in the same manner; walls at the eaves of all roofs, except flat roofs, shall be carried up their full thickness flush with the upper edge of the rafters of the roof, and the sheathing board shall be bedded in mortar on such walls.

604. Fire Walls in Business Buildings.] § 46. Business buildings more than two stories high having a flat roof shall have their side walls carried two feet above the roof; and division and party walls not less than twelve inches thick, shall have copings of incombustible material; front walls may terminate with the upper surface of the sheathing of the roof. Division or party walls shall extend through mansard or other steep roofs not less than sixteen inches, and have copings the same as other fire walls.

605. Rear Wall Within Fire Limits.] § 47. Any building within the fire limits not more than three stories high may have the rear wall terminate flush with the upper surface of the sheathing of the roof: *Provided*, that the gutter at the eave of such roof shall be entirely of metal, or of wood enveloped with metal, such metallie work to extend across and cover the walls and be properly secured to the sheathing of the roof.

606. Chimneys and Flues—Construction of.] § 48. No chimney shall be built with less than four-inch walls and no chimney top shall be less than five feet above the roof in case of a flat roof, and two feet above the ridge of any pitched roof; ordinary flues in business buildings shall have four-inch walls and eight-inch jambs; flues larger than two hundred and fifty square inches and less than five hundred square inches shall be surrounded with walls not less than eight inches thick; the wall of such flue above the inlet funnel shall be twelve inches thick for the first fifteen feet around and above such inlet; tops of chimneys shall be at least eight feet above the immediate roof and five feet above the highest part of the roof within fifty feet of such chimney. All fire flues shall be smoothly plastered inside and outside, with the joints well flushed and struck in the best manner.

607. Walls to be Anchored to Joists, etc.] § 49. In brick walls every seventh course shall be headers. All walls shall be securely anchored to

timbers and joists resting upon them. Anchors shall not be more than eight feet apart.

608. Hollow Walls.] § 50. Hollow walls that are not bearing walls may be used in all cases; but all hollow walls shall be bonded or tied together with incombustible anchors, placed not more than three feet apart: *Provided*, that in no case shall the ends of the joists or other woodwork be allowed to come within four inches of the hollow space.

609. Backing for Iron Fronts.] § 51. The backing of any iron front that is not wholly self-supporting shall be treated as an independent wall. If the iron wall is self-supporting, then the party wall shall extend to meet the outer thickness of iron, and vacancies shall be filled with grout to insure a complete separation from adjoining buildings.

610. Composition Roofs Within Fire Limits.] § 52. The weather coverings of all roofs in the fire limits shall be made of incombustible materials. Composition roofs shall be made of not less than three-ply number two felting, which shall be well cemented together, and shall be covered with distilled composition and clean screened gravel well bedded; such roofs on all buildings that are more than two stories high shall have four-ply felting, to be swept off and have a second coating of distilled composition and gravel. The pitch of composition roofs shall not exceed two inches to the foot. No uncovered tar, composition, resin or felt shall in any way be exposed on any roof or its appendages within the limits of the city.

611. Skylights—Protection of.] § 53. All skylights exceeding fifty superficial feet, if set in wood, shall be entirely enveloped in galvanized iron. Glass in all skylights, if not "prismatic lights" or wire glass, shall be protected with screens made of number ten or heavier wire, with meshes not exceeding one and one-quarter inches, such screen to be secured to the sash and kept at least four inches above the glass.

612. Water Leaders—Metallic.] § 54. All buildings hereafter erected shall be kept provided with metallic leaders for conducting water from the roof to the ground, sewer, street or gutter in such manner as shall protect the walls and foundations from damage; and in no case shall the water from such leaders or otherwise be allowed to flow upon the sidewalks, streets or alleys, but shall be conducted by drain pipe to the sewer.

613. Cornices, etc.—Construction of.] § 55. All cornices, gutters, eaves and parapets hereafter erected in the fire limits shall be made of incombustible material. All metal cornices shall be riveted together with rivets not more than two inches apart, and shall be supported with iron brackets of one-quarter by one-quarter or heavier iron, placed not more than four feet apart and firmly secured to the wall. The roof or covering of all cornices may be sheathed with wood, provided such sheathing shall be entirely covered with metal, or where composition roof is used, it may extend within six inches of the front edge of the cornice, which space of

six inches shall be of metal. Cornices constructed of stone shall not extend more than thirty inches beyond the face of the wall, and their preponderating weight shall be upon the wall.

614. Scuttle to Reach Roof.] § 56. All roofs shall be constructed so as to be reached by a scuttle or by iron steps or ladders fastened to the outside of the outer wall; if by scuttle, the same shall be at least twenty by thirty inches, the frame and lid covered with metal, and shall have a stationary ladder communicating with such scuttle.

615. What Buildings to Have Standpipes.] § 57. All buildings more than three stories high shall have one or more two and one-half-inch or larger metallic standpipes, as the superintendent may direct, extending above the roof, and arranged so that engine hose can be attached from the street. All hose couplings shall conform to the size and pattern adopted by the fire department.

616. Signs.] § 58. All signs placed on any building above the sills of the third story windows shall be made of incombustible materials.

617. Headers, Joists and Floor Beams.] § 59. All floor beams, joists and headers shall be kept at least four inches clear of any wall enclosing a fire flue or chimney breast, and the space left between the framing and such flues shall be filled solid with gauged mortar, and there shall be a heavy coat of plastering put on the walls of such flues before any other woodwork shall be placed against them.

618. Fire Places and Hearths.] § 60. All hearths for ordinary fire places shall rest on trimmer arches, the header kept at least eighteen inches from the face of the chimney breast. The backs of all fire places shall not be less than eight inches thick, and all stove pipe holes shall have proper thimbles and stoppers.

619. Joists and Beams.] § 61. Ends of joists or beams entering a brick wall shall be cut so as not to disturb the brick work by any defection or breaking of the joists or beams. All such joists or timbers entering a party or division wall from opposite sides shall have at least four inches of solid brick work between the ends of such timber or joists. In business buildings where the upper stories are intended for flats or offices, and the bearing walls do not extend up and through the building, girders supported by columns must be placed to carry the ends of the floor joists, and in no case shall the ends of the floor joists rest on a stud partition. All buildings for residence and business purposes shall have the brick project not less than one and one-half inches inside of the face of the wall between the joists of each floor and ceiling joists.

620. Support of Girders.] § 62. Joists and girders in any building shall be of proper dimensions to sustain the load designed to be placed upon them; girders may rest on piers of brick, concrete or stone, or upon columns of wood or iron of proper dimensions. All floor joists

shall be properly bridged with cross-bridging. All headers in floor framing of business buildings that are placed at a greater distance than two feet from the end of a trimmer shall be placed in proper iron stirrups.

621. Hoistways.] § 63. Hoistway openings shall have trap doors, covered with metal on the under side, on all floors except where elevators are used, with sufficient guards for protection during the hours of business, and said doors shall be kept closed at all other times.

622. Construction of Elevator Shaft.] § 64. Hoistways in which elevators shall be used shall have a fire proof shaft started at the lowest point reached by such elevator, and from such point extended up through and six feet above the roof. Open passenger elevators within the well-hole of an open stairway are not prohibited: *Provided*, said elevator openings shall be protected by a substantial guard, and said well-hole shall be constructed of brick or other fireproof material.

623. Elevator Shafts—Doors to, etc.] § 65. All doors in shafts of elevators shall have latches so contrived that a key must be used to unlatch the doors from the outside, but may have a knob or handle to open the door from the inside.

Doors in such shaft shall be made of metal, and the catches or fastenings upon such doors shall be so placed that they can be opened only from the inside of the shaft, and entirely under the control of the elevator operator.

624. Wall, etc., Not to Project Beyond Building Line.] § 66. The face of any wall, pilaster or column of any building shall not project beyond the building line above the level of its main water table, unless such column or pilaster is merely a part of any portico or window or window dressing.

625. Iron Shutters.] § 67. All brick buildings which are more than two stories or above twenty-five feet in height above the curb level, already erected or that may hereafter be erected, except dwelling houses, school houses and churches, shall have doors, blinds or shutters made of iron or wood covered with proper metallic covering or other fire resisting material, to be approved by the Superintendent of Buildings, on every window or entrance on the side and rear walls of such building: *Provided*, that such shutters or blinds shall not be necessary where the side or rear of any such building is on a public street of said city; and when such shutters and doors cannot be put on the outside of such door or window, they shall be on the inside, and shall be hung on an iron frame independent of the woodwork of the window, frame or door, or to iron hinges in rabbits in the masonry; and every such door or shutter shall be closed upon the completion of business of each day by the occupants having the use and control of the same; and all fireproof shutters that now are or may hereafter be put upon any building shall be so constructed or arranged that they can be readily opened from the outside by the firemen. Wire glass windows which meet the approval of the Superintendent of Buildings may be used instead of iron shutters.

626. Doors—Shall Open Outward.] § 68. All buildings used as theatres, assembly halls, stores, factories, hotels, restaurants, office or business buildings, and all buildings to which the public is invited or admitted, shall have the outer doors and all doors directly leading thereto, opening outward.

627. Theatres, etc., Means of Egress.] § 69. The egress openings and stairways of theatres or other rooms wherein crowds of people usually assemble, or wherein large numbers of employees are kept at work, shall in no case be less than five feet wide, or aggregate a less proportion than eighteen inches for each one hundred persons such theater or other room may contain or accommodate. This provision shall apply to the doors of each gallery or compartment of such building as well as to the exterior openings.

628. Means of Egress in Other Buildings.] § 70. All buildings over two stories high, used for the manufacture of combustible articles or materials, wherein more than one hundred employees are kept at a time, shall have at least two egress stairways at least fifty feet from each other.

629. Heating Appliances—Arrangement of.] § 71. Hot air, hot water, steam or other furnace, whether brick or metal, shall be kept at least ten inches, and the smoke flue at least twenty inches from any unprotected wood work. All furnaces shall be placed on foundations of brick, concrete or stone, with proper hearths of incombustible material at least twenty-four inches wide in front of the ash pit. All hot air conductors that are placed within ten inches of any wood work shall be made double, one within the other, with at least one-half inch space between the two. All hot air registers shall be set in incombustible borders not less than two inches in width; all such borders shall be firmly set in plaster of paris; openings in floors for registers shall be lined with bright tin to receive the register boxes; the linings shall be kept at least one inch distant from such register box. I. C. or I. X. bright tin shall be used in the construction of all hot air flues and their appendages.

630. Boiler Houses and Rooms.] § 72. The woodwork of all boiler rooms shall be kept at least six feet from the boiler and four feet from the breeching or smoke conductor, and one foot from the dome of the boiler, unless such wood work is properly protected with incombustible material, and then there shall be at least two feet of space between the boiler or smoke pipe and the protection. No brick oven, coffee roaster or any like structure designed to contain fire, shall be erected or permitted on a wooden floor of any building.

631. Floors in Boiler Rooms.] § 73. The floors of all rooms, when containing stationary boilers, shall be made of incombustible materials, five feet on all sides and at least eight feet in front of any boiler.

632. Steam Pipes—Protection of.] § 74. Steam pipes shall be kept at least two inches from all wood work, otherwise they shall be protected by a soap-stone or earthen ring or tube, or rest on iron supporters.

633. Pipes Let Into Joists, etc.—Protection of.] § 75. No pipes shall be let into the joists or beams of any floor to a greater depth than two inches, and not more than three feet from the ends of the joists or beams.

634. Walls to be Braced During Erection of.] § 76. Walls of any building shall be securely braced during the process of erection.

635. Term “Business Building” Defined.] § 77. The term “business building” shall embrace all buildings used principally for business purposes, this including, among others, hotels, theaters and office buildings.

636. Terms Defined.] § 78. The term “wholesale store,” or “storehouse,” shall embrace all buildings used or intended to be used exclusively for purposes of mercantile business or storage of goods.

637. Basement Defined.] § 79. A basement story of any building is defined as a story whose floor is twelve inches or more below the sidewalk, and whose height does not exceed twelve feet in the clear; all such stories that exceed twelve feet high shall be considered as first stories.

638. Height of Buildings.] § 80. The height of all buildings for the purpose of this article shall be taken from the grade of the sidewalk from a point half way from the lowest to the highest point of roof.

639. Chimney Not to Rest on Wood-work.] § 81. All chimneys not forming a part of a wall shall rest upon the ground with proper foundations, and in no case shall any chimney rest on or be supported by frame work, beams or posts of woodwork of any description, except in one-story cottages.

640. Posts and Guy Ropes.] § 82. Iron bars shall not be driven in the roadway of any street for the purpose of attaching guy ropes of derricks. Posts may be set up opposite any derrick for the purpose of attaching any guy lines. Such posts shall be not less than eight inches square, of sound timber, sixteen feet long, set at least four feet into the ground. Guy ropes attached to such posts shall be kept at least ten feet above the surface of the street.

641. Using Street—Permit For.] § 83. Any person desiring to use any portion of the street or alley for the purpose of erecting or repairing any building shall make application to the council for a permit to use the same and shall cause a red light to be placed in a conspicuous place in front of such obstruction from dark until sunrise each night during the time such obstruction remains. A sidewalk or passageway of at least four feet wide shall be kept in front of any new building, as far as practicable, making allowances for the proper handling of any materials to be used in or about such building.

642. Public Hall Defined.] § 84. Every theater, opera house, hall, church or other building intended to be used for public assemblages shall be deemed a public hall within the meaning of this article.

643. Stairways in.] § 85. No stairway to any public hall or part thereof shall rise more than ten feet without a platform, and no winders, wheeling or circular steps shall be used. Each stairway and passageway shall have a strong hand rail on both sides thereof through its entire length.

644. Exits, etc.] § 86. Every public hall with accommodations for five hundred or more people shall have at least two separate and distinct exits, to be as far apart as may be found practicable. Public halls accommodating seven hundred or more persons shall have at least three separate and distinct exits. The exits from all galleries shall be independent and separate from the exits of the main floor.

645. Height Above Grade of Street—Proscenium Wall—Openings.] § 87. No portion of the main floor of any public hall used as a theater, and with accommodation for five hundred persons, shall be elevated to a greater height than thirty-five feet above the street grade. Public halls with accommodations for one thousand persons or more shall have the main floor not over twenty-five feet above the street grade. In all such theaters the proscenium wall shall be of brick work, not less than sixteen inches thick, extending from the ground through and four feet above the roof, this brick wall to extend entirely across the building, from the floor of the stage to the ground. All openings required in any part of the wall, except the principal opening, shall have proper iron doors.

646. Floors to be Fireproof.] § 88. All auditorium floors in theaters or public halls shall be constructed of fireproof material.

647. Partitions in Theaters—Construction of.] § 89. All partitions for rooms and passages in theaters, if not made bodily fireproof shall be plastered on both sides on iron or wire lathing or tiling.

648. Theaters, etc.—Asbestos Curtain.] § 90. Every theater or hall in which a drop curtain is used, shall have an asbestos or steel curtain next to the auditorium, and said curtain shall be tested within one hour before the commencement of every show or entertainment to see that it is in proper operating order.

649. Exits—How Marked—Aisles Kept Unobstructed.] § 91. All egress openings in theaters and public halls shall have the word "exit" conspicuously placed over them in red light. The aisles or passages in such halls shall at all times be kept unobstructed.

650. Ventilator Over Stage.] § 92. All theaters or other places of public amusement having a seating capacity of over five hundred persons, and having a platform or stage, and using drop curtains or shifting scenery, shall have a suitable ventilator of incombustible material placed upon the roof and opening to the space above the stage. Such ventilators shall be arranged with valves or shutters that can be readily opened in case of fire, so that a current of air will pass over the stage and outward

through such ventilator. Any other contrivance having the same effect and approved by the Superintendent of Buildings, may be used instead of the ventilator above described.

651. Water Standpipe on Stage.] § 93. All such buildings shall have a water standpipe and water plug, to be placed on the stage or platform or in its immediate vicinity, which shall be connected with the water pipes or street mains of the city water-works system, and shall be put in under the direction and to the satisfaction of the Fire Marshal and Superintendent of Buildings.

652. Hose Attached to Standpipe.] § 94. Hose shall be attached to such standpipe, of such size as may be directed by said Fire Marshal and to have nozzle and stop-cock attached thereto; such hose shall be of sufficient length to extend to the farthest limits of such building or place of amusement and shall at all times be kept in good order and repair and ready for immediate use.

653. Other Standpipes Required.] § 95. All such buildings with accommodations for one thousand or more persons shall have at least one standpipe in the street or alley on the outside of the building, from ground to roof, with hose attachments close to a window or door at each floor or gallery.

654. Fire Alarm Box in.] § 96. Such buildings shall also be provided with a fire alarm telegraph apparatus connected by the necessary wires with the headquarters of the city fire alarm telegraph, or such other place or places as the Fire Marshal shall direct.

655. Fire Extinguishing Apparatus Required.] § 97. It shall be the duty of all owners, agents, lessees or occupants of such buildings to provide such fire extinguishing apparatus at such points about the building as the Fire Marshal shall direct.

656. Shall Employ Firemen.] § 98. It shall be the duty of the owner, agent, lessee or occupant of any theater with accommodations for one thousand or more persons, to employ one or more competent experienced firemen, approved by the Fire Marshal, to be at such theater during the whole time it is open to the public; such firemen shall report to and be subject to the orders of the said marshal, shall be in uniform and shall see that all fire apparatus required is in its proper place and in efficient and ready working order.

657. Recess, Chase or Flue.] § 99. No continuous vertical recess, chase or flue shall be made in any party wall so deep that it will leave the thickness at the back, less than eight inches at any point, and no recess of any kind shall be made in any eight-inch wall. No horizontal recess shall be made in any wall except by special permit from the superintendent. No continuous vertical recess, other than flues in stacks, shall be nearer than seven feet to any other recess.

658. Side Walls Not to be Built in Advance of Rear Wall.] § 100.

No side wall of a brick building shall be carried up in advance of the rear wall.

659. Buildings to Have Division Walls.] § 101.

All brick blocks to be used as business houses or flats shall have division walls of brick each forty-eight feet of their width at least to extend through the roof. The stairway shall be enclosed with brick walls or other incombustible material approved by the Superintendent of Buildings. All brick buildings to be used as dwellings, tenements or lodging houses in excess of thirty feet in width shall have brick division walls to extend through the roof not more than twenty-two feet apart.

660. Steam Boilers, etc.—Permits to Set.] § 102.

No steam boiler set in masonry or otherwise shall hereafter be placed or its location changed in any building except as the superintendent shall approve.

661. Construction of Floors.] § 103.

All floors shall be constructed to bear a safe weight, per superficial foot, exclusive of material, as follows:

For dwellings, tenements or lodging houses, one hundred pounds; for buildings for light mechanical purposes, and for public buildings, one hundred and fifty pounds; for store-houses, warehouses, machine shops, armories, drill rooms, and other similar buildings, not less than two hundred and fifty pounds; these requirements shall apply to all alterations as well as to new buildings.

662. Board Partitions—Size—Not Used as Supports—When.] § 104.

Plank or board partitions in brick buildings in any one story of any building shall not aggregate more than four hundred superficial feet measuring on one side. Partitions in hotel buildings and tenement buildings, made of scantling, shall be lathed and plastered on both sides, shall be filled with brick work eight inches high from each floor in the best manner; scantling partitions shall not be used for the support of any floor or roof, except for dwelling houses.

663. Unsafe Flues, Chimneys and Heating Apparatus—Penalty.] § 105.

If any chimney, flue or heating apparatus of any premises shall in the opinion of the Superintendent of Buildings endanger the premises he shall at once notify in writing the owner or agent of such premises. If such owner, or agent fails for a period of five days after the service of such notice to make such chimney, flue or heating apparatus safe, he shall be liable to a fine of not less than ten dollars nor more than fifty dollars for every day's continuance thereof.

664. Wooden Buildings Outside Fire Limits—Height—Location.] § 106.

Outside of the fire limits wooden buildings may be erected to be used as a dwelling or tenement, but shall not exceed forty-five feet in height from the sidewalk to the highest point of the roof; and the external walls of such buildings shall not be placed at a less distance than

eighteen inches from the line of the lot upon which the building is located unless a brick external wall is substituted for a wooden wall, said wall to be not less than eight inches thick; said walls shall be built up to the under side of the roof covering and bedded in mortar on the walls.

665. Distance Between Frame Houses.] § 107. Where frame or wooden buildings are erected on a lot for dwelling purposes, there shall be a clear open space of at least three feet between the basement walls of said buildings.

666. Division Walls in Blocks of Two or More.] § 108. In the erection of wooden buildings for dwelling purposes in blocks of two or more, said buildings shall have division walls of brick not less than eight inches thick; said brick walls shall be carried up and topped out twelve inches above the roof, and shall be properly coped.

667. Distance Between Other Frame Buildings.] § 109. Wooden buildings to be used for other purposes than that of dwelling houses shall not be erected or placed at a less distance than four feet from any other building unless an intercepting wall of brick is used.

668. Height Limited.] § 110. All the exterior parts of every building hereafter erected within the City of Bloomington which is more than forty-five feet in height above the level of the sidewalk, shall be made of or covered with incombustible material.

669. Sills—How Laid—Foundations.] § 111. The sills of any wooden building shall be laid at least eight inches above the grade of the streets; and all such buildings shall be built upon secure foundations of stone, concrete or brick, carried up to the surface of the ground. All buildings having an area exceeding twenty-five by forty feet shall have nine inch foundation walls; all frame tenements in blocks of two or more, with basement stories or cellars, shall have at least twelve-inch outside walls and not less than eight-inch division walls.

670. Stone Not to be Dressed Upon Street.] § 112. No person shall be permitted to dress stone in the streets, or prepare any material for building in the streets, which can be prepared elsewhere.

671. Plans Not to be Changed After Permit.] § 113. After a permit has been granted, the owner, architect or builder must not materially change or alter the plans or construction for which the permit was issued without giving notice of such alteration and receiving permission for the same.

672. Penalty.] § 114. Any person failing to comply with or guilty of a violation of any of the provisions of this article, where no other penalty is provided, shall be subject to a penalty of not less than ten dollars nor more than two hundred dollars. Every such person shall be deemed to have been guilty of a separate offense for every day the same shall continue, and shall be subject to the penalty imposed by this section

for every separate offense; and any contractor or builder who shall construct any building in violation of this article, and any architect having charge of such building who shall permit it to be so constructed, shall be liable to the penalties provided by this section.

673. Fire Limits.] § 115. All that part of the City of Bloomington embraced within the following boundaries hereafter shall be known as the fire limits of said city, to-wit:

Beginning at a point in the center of Chestnut and Oak Streets, thence south along the center line of Oak Street to the center of Front Street; thence east along the center line of Front Street to the center of Lee Street; thence south along the center line of Lee Street to the center of Oakland Avenue; thence east along the center line of Oakland Avenue to the center of McLean Street; thence north along the center line of McLean Street to the center of Chestnut Street; and thence west along the center line of Chestnut Street to the place of beginning.

ARTICLE XI.

CABS, HACKS, CARTS, EXPRESS WAGONS, ETC.

Section	Section
674. Carts, etc.—To be Licensed.	682. Carts, etc.—Rates of Charges.
675. Cabs, Hacks, etc.—To be Licensed.	683. Services to be Rendered.
676. License Fee.	684. Rates of Charges for Carrying Passengers.
677. Licensee's Number on Vehicle—Penalty.	685. Baggage to be Carried by Hacks, etc.
678. Licensee Responsible for Goods.	686. Rates to be Displayed—Acceptance—Penalty.
679. Refusal to Convey—Penalty.	687. Vehicles Excepted from Article.
680. Driver to be With Vehicle—Disorderly Conduct—Penalty.	688. Without a License—Penalty.
681. License Transferable.	689. Shall not Remain on Streets—Penalty.

674. Carts, etc.—To be Licensed.] § 1. No person shall charge, receive or demand any pay for the hauling or transportation of any article of personal property whatever, in or upon any wagon, cart, dray, automobile or other vehicle, nor for the hire or use of the same, within the limits of said city, without first having obtained a license so to do as hereinafter provided.

675. Cabs, Hacks, etc.—To be Licensed.] § 2. Every vehicle which shall be kept or used within said city for the purpose of conveying persons from one place to another through or in said city, or from said city to places without the same, or from places without the said city to any

place within the same, for hire or payment received by the owner, agent or driver thereof, is hereby declared and taken to be a hackney-carriage, within the meaning of this article; and no person shall keep and use any such hackney-carriage in said city for hire or pay for the purposes herein stated, without first having obtained a license so to do as hereinafter provided.

676 License Fee.] § 3. Licenses may be granted for taxicabs, cabs, hacks and hackney-coaches for the sum of ten dollars per year; for two or three horse heavy drays or trucks, and heavy automobile trucks, the sum of twelve dollars per year; for one horse light drays, trucks, express wagons, carts, motor cycles and other vehicles of similar character not otherwise herein designated, the sum of four dollars per year; for two horse light drays, trucks, express wagons, carts, light automobile trucks and other vehicles of similar character not otherwise designated, the sum of six dollars per year. All such licenses shall be payable quarterly in advance, and no license shall be issued for any shorter period than three months.

677. Licensee's Number on Vehicle—Penalty.] § 4. Every wagon, cart, dray, hackney-carriage or other vehicle licensed under this article shall bear its number as registered in plain and conspicuous figures on a metallic plate, which figures and plates shall be of uniform color, size and shape, and shall be furnished at cost by the City Clerk to the person licensed; the said number shall be placed on the near outside of the body, if put upon a wagon, hackney-carriage or other vehicle, and when the vehicle has no body upon it, the number shall be placed upon the outside of the hind axel-tree, and no other number shall appear on any such vehicle except such as may be required by law; and any person who shall refuse or neglect to keep his wagon, cart, dray, hackney-carriage or other vehicle numbered with the number furnished him by the clerk as herein required, or if he shall have more than one number on the same, except such as may be required by law, shall forfeit and pay the sum of five dollars, and the further sum of five dollars for every day he shall use said wagon, cart, or other vehicle without having the same numbered as aforesaid.

678. Licensee Responsible for Goods.] § 5. The owners of vehicles, and all persons taking out license under this article, shall be responsible for all goods, wares, property and merchandise delivered to their care or to the care of any driver or person having charge of any licensed wagon, cart, hackney-carriage or other vehicle.

679. Refusal to Convey—Penalty.] § 6. If any owner, driver or person in charge of any wagon, cart, dray or hackney-carriage or other vehicle licensed as aforesaid shall while unemployed and on any street or alley, or at any railroad station or place in said city, refuse to haul a load or loads for any person, or refuse to carry any passengers and their baggage, who shall tender to him the regular fare or fee therefor, he shall forfeit and pay the sum of five dollars for each offense.

680. Driver to be With Vehicle—Disorderly Conduct—Penalty.]

§ 7. Any hackman, cartman, drayman or driver, or any person in charge of any omnibus, baggage or express wagon or other vehicle licensed as aforesaid, who shall, while waiting for employment on any stand, or at any railroad station or elsewhere, leave such vehicle except for the purpose of getting the baggage or other personal property of the person employing him, or shall snap, crack or flourish his whip, or use indecent language, or be guilty of loud or boisterous talking or shouting, or of any disorderly conduct, or who shall vex, disturb, importune, annoy or deceive passengers, travelers or citizens, or obstruct any street or sidewalk, or shall refuse to observe and obey any order or direction of the Mayor, Chief of Police, policeman, magistrate, commissioner or other conservator of the peace in said city, which may be given for the preservation of good order and for the convenience of the public, shall be subject to a fine of not less than five dollars or not exceeding twenty-five dollars for each offense. Nor shall any driver of any vehicle containing passengers leave the same unless he shall leave his animals attached thereto in charge of some competent person or securely tied.

681. License Transferable.] § 8. The licenses issued under this article may be transferred with the consent of the Mayor; but in all such cases the person to whom the license is transferred shall have the same registered in the clerk's office.

682. Carts, etc.—Rates of Charges.] § 9. The fee or charge allowed to teamsters, draymen, cartmen, drivers of express wagons and other vehicles for the carriage of personal property licensed under this article shall be as follows:

First—For hauling each ordinary load for the distance of twenty blocks or less in said city, the sum of not more than one dollar per load and the further sum of twenty-five cents per load for each five blocks additional that said load is hauled: *Provided*, that an additional sum per load may be charged where the place of delivery of said load is upon any floor of a business building other than the basement or first floor, not exceeding twenty-five cents for each floor above the first.

Second—For hauling baggage within the city limits, twenty-five cents per piece, where same weighs less than one hundred and fifty (150) pounds, and twenty-five cents for every one hundred and fifty (150) pounds or a fraction thereof additional.

Third—Ordinary work, when contract is by the day or hour, and no price is agreed upon in advance, a sum not exceeding fifty cents per hour may be charged for the team and teamster or driver.

Fourth—For the moving of pianos or other instruments or materials requiring more than an ordinary amount of care and responsibility, no rate of charges is established.

683. Services to be Rendered.] § 10. The services to be rendered by the person in charge of a licensed wagon, cart, dray or other vehicle

for the fee herein specified, shall include the loading, hauling and unloading of the property, but shall not include the services of any additional help made necessary by the character of the materials hauled or the place to or from which the same may be taken.

684. Rates of Charges for Carrying Passengers.] § 11. All persons, firms or corporations driving or operating any taxicab, hack, carriage, omnibus or other vehicle operated for the transportation of passengers shall be allowed to charge for transporting passengers in the City of Bloomington not to exceed the amounts as follows:

For transporting each person from any railway station for a distance of sixteen blocks or less from the starting point, twenty-five cents; for a distance of over sixteen blocks and up to twenty-four blocks from the starting point, thirty-five cents; for any distance over twenty-four blocks from the starting point, fifty cents. Children between the ages of six and fourteen years, when accompanied by an adult, shall be charged one-half the full rate; children under five years of age, when accompanied by an adult, shall be carried free.

Transfers from railroad stations to railroad stations, twenty-five cents per passenger; provided, that for transfers from the Chicago & Alton Railroad station to the Illinois Central railroad station, thirty-five cents per passenger may be charged.

Residence to residence calls, or from residence to down town, or from down town to residence, continuous passage for sixteen blocks or less, twenty-five cents; for distances of sixteen blocks and up to twenty-four blocks from starting point, thirty-five cents; for distances of twenty-four blocks or more from starting point, fifty cents.

685. Baggage to be Carried by Hacks, etc.] § 12. Every passenger shall be allowed to have conveyed upon any hack, omnibus or other vehicle for carrying passengers, provided there is room for the same, without further charge, his ordinary traveling baggage, not exceeding twenty-five pounds in weight, and for every additional one hundred and twenty-five pounds or fraction thereof, of baggage, the owner or driver of such hack, omnibus or other passenger vehicle shall be permitted to charge and receive twenty-five cents for all distances within the city.

686. Rates to be Displayed—Acceptance—Penalty.] § 13. A printed copy of the rates and charges in this article provided shall be displayed or posted in a conspicuous place where it shall at all times be in plain view of passengers in each taxicab, hack, carriage, omnibus or other vehicle used for the transportation of passengers, and all drivers, persons, firms or corporations operating any taxicab, hack, carriage, omnibus or other vehicle, shall file with the City Clerk their acceptance in writing of the terms and provisions of this article before any license shall be issued to any such driver, person, firm or corporation authorizing the operation of any such vehicle in said city.

Any person, firm or corporation owning, operating or having charge of any such licensed taxicab, hack, carriage, omnibus or other vehicle who shall

charge, receive or demand any higher or greater fee or charge than is allowed and permitted by this article, or shall fail to display or post a notice of the provisions of this article as to charges, shall be fined in the sum of not less than three dollars and not more than twenty-five dollars for each offense. The Mayor, in his discretion, may revoke the license of any person, firm or corporation who shall violate the provisions of this article relative to the fee or charge for the transportation of passengers or shall fail to display or post the notice herein provided for, and any person convicted the second time for a violation of this article shall not be granted a license for the operation of any taxicab, hack, carriage, omnibus or other vehicle for the transportation of persons and passengers.

687. Vehicles Excepted from Article.] § 14. This article shall not apply to wagons and other vehicles kept by merchants for the free delivery of goods sold by them, nor to the owners or drivers of teams coming to market, who shall transport for hire or pay any article from the city to any place without the same: *Provided*, that said vehicles are not used for other purposes of hire.

688. Without a License—Penalty.] § 15. Any person who shall, without being licensed as herein required, demand, charge or receive any sum of money, or other valuable thing, for hauling any load or loads of personal property, or for conveying persons as contemplated by this article, or for the hire or use of any automobile, wagon, cart, dray, hackney-carriage, or other vehicle, shall forfeit and pay not less than two dollars nor more than ten dollars for each offense.

689. Shall not Remain on Streets—Penalty.] § 16. It shall not be lawful for any owner, driver or person in charge of any taxicab, hack, carriage, omnibus or other vehicle used for the transportation of passengers, or of any wagon, dray, hack, cart or other vehicle used for the transportation of personal property, to suffer the same to remain on any street in the City of Bloomington in front of any store, house or premises of another person; nor shall it be lawful for any owner, driver or person in charge of any of the aforesaid vehicles to stand or congregate around the public square in said city.

Any person violating any of the provisions of this section shall be fined not less than two dollars nor more than ten dollars, and the license of such person, if he have any, may be revoked.

ARTICLE XII.

CIGARETTES.

Section.

690. Sale of Cigarettes Without License Prohibited.

691. Sale to Minors Prohibited.

Section.

692. Application — Bond — Revocation.

693. License Fee.

694. Penalty.

690. Sale of Cigarettes Without License Prohibited.] § 1. It shall be unlawful for any person, firm or corporation to sell at retail or to give away within the corporate limits of the City of Bloomington any cigarettes, cheroots or small cigars, without first having obtained a license to retail the same within said city.

691. Sale to Minors Prohibited.] § 2. It shall be unlawful for any person, firm or corporation to sell, exchange or give away, within the corporate limits of the city, any cigarettes, cheroots or cigars to children under the age of eighteen years.

692. Application—Bond—Revocation.] § 3. Before any license shall be issued to any person, firm or corporation to retail cigarettes, etc., within said city, such person, firm or corporation shall make application in writing to the City Clerk for such license, stating the name or names of the persons applying for license, the place where said cigarettes, etc., are to be sold, and an agreement to obey the laws of said city in respect to said business. The Mayor may revoke any such license whenever he believes the holder of such license has been guilty of a violation of the ordinances of the City of Bloomington, or whenever in his discretion such revocation will be for the public good.

693. License Fee.] § 4. The fee to be paid for license to retail cigarettes, cheroots and small cigars shall be the sum of two hundred dollars per annum, payable to the Commissioner of Accounts and Finances quarterly in advance. No license shall be issued for a less period than three months.

694. Penalty.] § 5. Any person, firm or corporation violating any of the provisions of this article shall be subject to a penalty of not less than ten dollars nor more than two hundred dollars for each offense.

ARTICLE XIII.

CONCEALED WEAPONS.

Section.

695. Concealed Weapons—Prohibition of—Penalty.

696. Confiscation of Weapons.

695. Concealed Weapons—Prohibition of—Penalty.] § 1. It shall be unlawful for any person within the limits of the city to carry or wear under his clothes, or concealed about his person, any pistol, revolver, slung shot, cross knuckles or knuckles of lead, brass or metal, bowie knife, dirk knife, dirk, razor, dagger, or any other dangerous or deadly weapon; or to display or flourish any such weapon in a boisterous or threatening manner. Every person guilty of a violation of this section shall be fined not less than twenty-five dollars or more than two hundred dollars:

Provided, that the provisions of this section shall not be held to apply to any policeman, constable or other peace officer while in the discharge of his duty, nor to any person summoned by any such officer to aid in making an arrest or preserving the peace.

696. Confiscation of Weapons.] § 2. Any such weapon or weapons duly adjudged by any police magistrate or justice of the peace of said city to have been worn or carried by any person in violation of the preceding section of this article, shall be forfeited and confiscated to the City of Bloomington, and upon the trial of any person for violation of the preceding section of this article, the magistrate before whom such trial takes place shall enter up such forfeiture as part of the judgment and penalty for any such violation.

ARTICLE XIV.

DEFAMATORY PUBLICATIONS.

Section.	Section.
697. Defamatory Publications — Publication of on Streets, etc., Prohibited—Penalty.	701. Truth no Defense—Evidence.
698. Defamatory Publications — Publication of in City Prohibited—Penalty.	702. Newspapers Excepted—Evidence.
699. Defamatory Publications — Composing and Printing Prohibited—Penalty.	703. Pleading and Complaint—Matters Unnecessary.
700. Each Instrument Separate Offense.	704. Terms Defined.
	705. Shift or Devise.
	706. Invalid Portions not to Affect Remainder.

697. Defamatory Publications—Publication of on Streets, etc., Prohibited—Penalty.] § 1. Any person, firm or corporation publishing in or upon any street, avenue, alley, park or other public grounds in the City of Bloomington, directly or indirectly, either in person, or by clerk, agent, employee or servant, any instrument containing any statements, opinions, signs, pictures or the like, or any other matter derogatory to the character of any person, or impeaching his honesty, integrity, virtue or reputation, or exposing him to public hatred, contempt, ridicule or financial injury, shall forfeit and pay a fine to the said city of not less than twenty-five dollars nor more than two hundred dollars for each offense.

698. Defamatory Publications—Publication of in City Prohibited—Penalty.] § 2. Any person, firm or corporation publishing within the corporate limits of the City of Bloomington any such instrument as described in section one of this article, in the manner described in said sec-

tion, shall forfeit and pay a fine to the said city of not less than twenty-five dollars nor more than two hundred dollars for each offense.

699. Defamatory Publications—Composing and Printing Prohibited—Penalty.] § 3. Whoever writes, composes, paints or draws any or all the material for any such instrument as described in section one of this article, and whoever prints, in whole or in part, either by himself or by another as clerk, agent, employee or servant, any such instrument, within the corporate limits of the City of Bloomington, Illinois, shall forfeit and pay a fine to the said city of not less than twenty-five dollars nor more than two hundred dollars for each offense.

700. Each Instrument Separate Offense.] § 4. The publication of each instrument prohibited by this article shall constitute a separate violation thereof and shall be a separate offense.

701. Truth no Defense—Evidence.] § 5. The truth of any matter contained on any such instrument shall not constitute a defense in a prosecution under this article, even though published with good motives and for justifiable ends, and the truth of such matter shall not be competent evidence in such prosecution.

702. Newspapers Excepted—Evidence.] § 6. Nothing in this article shall be held to apply to regularly published newspapers, whether the same be published within or without the corporate limits of the City of Bloomington, Illinois: *Provided*, that it shall be competent in all prosecutions under this article to show that any instrument claimed to be a newspaper is not in fact published with its chief object as the dissemination of legitimate news, but is a cover or device for the publication of matter prohibited by this article, and in the proof of such fact there shall be admitted in evidence all issues of such instrument prior or subsequent to the issue or issues upon which the prosecution is based.

703. Pleading and Complaint—Matters Unnecessary.] § 7. In all prosecutions under this article it shall not be necessary to set out the matter appearing on such instrument, but it shall be sufficient to describe it in the terms of section one of this article; nor shall it be necessary to describe the manner of or place where such publishing occurred; nor to state the name of any clerk, agent, employee or servant when the prosecution is against an employer or principal; nor to state the name of any person receiving, reading or viewing such prohibited matter.

704. Terms Defined.] § 8. In this article, unless the context otherwise requires:

“Publishing” means uttering, distributing, posting or causing to be exposed to public view.

“Instrument” includes any handbill, pamphlet, card, sign, picture or other written, printed or drawn instrument.

705. Shift or Devise.] § 9. Any shift or device to accomplish the object prohibited by this article without violating the letter of its provisions, shall be held to be a violation thereof.

706. Invalid Portions not to Affect Remainder.] § 10. The invalidity of any part or parts of this article shall not affect the validity of any other part thereof which can be given effect without such invalid part.

ARTICLE XV.

DOGS.

Section.	Section.
707. Dogs—License Required— Fee.	717. Proclamation to Muzzle.
708. License Fee—When Due— Expiration—For Fraction of Year.	718. Police May Slay Vicious Dogs at Large.
709. License—By Whom Issued— Application—Tag.	719. Unlawful to Kill Dog—When —Penalty.
710. License Number—Record.	720. Poisoning Dog Unlawful— Penalty.
711. Tag—To be Issued—Changed Yearly.	721. Dog Not Molested—When— Penalty.
712. Tag—Attached to Dog— Omission not Excusable.	722. Removal of Muzzle—Pen- alty.
713. Failure to Procure License— Penalty.	723. Fierce or Dangerous Dog at Large—Penalty.
714. False Tagging—Penalty.	724. Dangerous Dog — Trial — Judgment — Execution — Penalty.
715. Dogs Without Tags—Shall be Impounded.	725. Bitch in Heat—At Large— Penalty.
716. Dogs of Non-Residents Ex- empted.	

707. Dogs—License Required—Fee.] § 1. The owner or person in charge or having the custody of any dog within the City of Bloomington shall pay an annual license fee thereon of one dollar for male dogs and two dollars for female dogs. The time for which such license fee shall be required shall commence on May 1st, 1918.

708. License Fee—When Due—Expiration—For Fraction of Year.] § 2. Said license fee shall be due and payable on or before the first day of May of each year, and each license shall extend to the first day of May of the following year. Any license issued for any fraction of a year shall be paid for the same as a license for a whole year.

709. License—By Whom Issued—Application—Tag.] § 3. Said licenses shall be issued by the City Clerk upon the application of the owner or person in charge or having the custody of the dog for which the

license is desired, and a receipt of the Commissioner of Accounts and Finances for the license fee shall be presented with said application. The said application shall contain a statement of the name of said dog, its age, size and color, a description thereof, and such other facts as the City Clerk may require. The issuance by the clerk of the tag hereinafter provided for shall be the only evidence required to be given by the clerk of said license.

710. License Number—Record.] § 4. The clerk shall assign a license number to each dog so licensed, and shall keep a record of all such licenses.

711. Tag—To be Issued—Changed Yearly.] § 5. The City Clerk shall issue to the said applicant a small metal tag, to be furnished by the city without further charge, having thereon a number corresponding with the license number assigned by the clerk, together with such other words and figures as said clerk shall see fit. The said tags shall be of different size, shape or color from year to year.

712. Tag—Attached to Dog—Omission not Excusable.] § 6. Every dog so licensed shall have the said tag attached to it at the collar or otherwise, and the fact that any such license has been taken out and a tag procured shall not be an excuse to escape any of the penalties of this article if said tag is not attached, and does not continue to be attached to the dog for which said license was issued.

713. Failure to Procure License—Penalty.] § 7. Any person owning or having the charge or custody of any dog within said city who fails, refuses or neglects to take out a license for said dog as herein required on or before the first day of May of each year, shall be fined not less than five dollars nor more than twenty-five dollars for each offense, and every day said person fails, refuses or neglects to do so after the first conviction shall be a separate offense.

714. False Tagging—Penalty.] § 8. No tag shall be placed on any dog except the one for which it was issued. Any person violating this section shall be fined not less than five dollars nor more than fifteen dollars for each offense.

715. Dogs Without Tags—Shall be Impounded.] § 9. Any dog found upon or in any street or public place in the City of Bloomington without a current license tag attached to it, whether or not the said dog is running loose, shall be taken up and impounded, and shall be subject to, and proceedings shall be taken in accordance with the provisions of the article entitled "Pound."

716. Dogs of Non-Resident Exempted.] § 10. The foregoing provisions of this article shall not apply to dogs having no owner or custodian within the city, but owned or in the custody of persons temporarily in the city and not residing here, provided that said dogs are not allowed to run loose or unchained in any street or public place.

717. Proclamation to Muzzle.] § 11. Whenever the Mayor shall deem it necessary, he shall issue an order prohibiting for a certain time therein specified, all dogs from running at large on any street, alley or other public place within the city unless such dogs be securely muzzled or led by a chain or line so as to effectually prevent them from biting any person or animal, which order shall be published twice in a daily newspaper of general circulation in the City of Bloomington.

718. Police May Slay Vicious Dogs at Large.] § 12. All dogs found running at large in said city, contrary to the provisions of this article, whether owned or kept within or without the city, shall be destroyed by the City Marshal or any person appointed by him for such purpose, or by any policeman: *Provided*, that such dog cannot be safely taken up and impounded.

719. Unlawful to Kill Dog—When—Penalty.] § 13. It shall not be lawful for any officer of the city, or other person, to kill or attempt to kill any dog within the limits of said city except at the dog pound and under the direction of the City Marshal, unless said dog cannot be safely taken up and impounded, and any person violating this section shall be fined not less than five dollars nor more than one hundred dollars for each offense.

720. Poisoning Dog Unlawful—Penalty.] § 14. It shall not be lawful for any officer of the city, or other person, to kill or attempt to kill any dog or other domestic animal by poison within said city, or to place or leave any poison or poisoned substance in any place within the City of Bloomington, where any domestic animal is likely to find and eat the same, and any person violating this section shall be fined not less than five dollars nor more than one hundred dollars.

721. Dog Not Molested—When—Penalty.] § 15. No dog shall be subject to molestation under this article, or under any order of the Mayor while on the premises of its owner or keeper, and any officer of this city or other person who shall invade private premises to capture a dog, or who shall entice or take any dog out of the enclosure of the possessor of such dog, or who shall molest or seize any dog while led or held by a line or chain by any person, or who shall bring to the city any dog for the purpose of taking up or impounding the same, shall on conviction be fined in a sum not less than five dollars nor more than one hundred dollars for each offense.

722. Removal of Muzzle—Mistreatment—Penalty.] § 16. Whoever shall, without the consent of the owner or keeper of any dog, take away or remove the muzzle from said dog; and whoever shall wantonly or unnecessarily beat, injure, cripple or otherwise maltreat any dog, shall be subject to a penalty of not exceeding fifty dollars for each offense.

723. Fierce or Dangerous Dog at Large—Penalty.] § 17. Any owner or keeper of any fierce or dangerous dog, who shall knowingly per-

mit or allow the same to run at large to the danger, annoyance or injury of any persons within said city, shall be subject to a penalty of five dollars for the first offense, and to a further penalty of not less than ten dollars nor more than fifty dollars for any subsequent offense; and it may be a part of the judgment, upon such second or further conviction, that such fierce and dangerous dog be killed, and this judgment shall be forthwith executed under the direction of the City Marshal, for which killing the owner or keeper shall pay the further sum of one dollar, which sum shall be included in said judgment.

724. Dangerous Dog — Trial — Judgment — Execution — Penalty.]

§ 18. Whenever complaint shall be made under oath and filed with any justice of the peace or police magistrate, setting forth that any dog has, in any manner, disturbed the quiet of any person or neighborhood, or has bitten a person within the City of Bloomington, and that the person so bitten was not at the time trespassing upon the person or property of the owner or keeper of such dog, the justice of the peace or police magistrate shall issue a warrant against the owner or keeper of such dog, and upon the return of such warrant the justice of the peace or police magistrate shall proceed to hear and determine the matter, and if upon such hearing it shall appear that such dog has so disturbed any person or neighborhood, or that such dog has bitten some person within the City of Bloomington, and that the person bitten by such dog was not at the time trespassing upon the person or property of the owner or keeper of such dog, the justice of the peace or police magistrate shall order said dog to be removed or killed, and shall issue an order to the owner or keeper of such dog to remove or kill the same within twenty-four hours from the time of receiving a copy of such order.

The owner or keeper of any such dog who shall refuse or neglect to remove or kill, or cause such dog to be removed or killed, within twenty-four hours after having received a copy of said order from the justice of the peace or police magistrate, as aforesaid, shall be fined the sum of twenty-five dollars for every twenty-four hours thereafter until such dog shall be removed or killed.

It shall be the duty of any police officer to kill said dog whenever it shall be found at large in said city twelve hours after the service of a copy of such order on the owner or keeper of such dog.

The owner or keeper of any such dog so adjudged to be removed or killed, as aforesaid, shall be adjudged to pay the costs of any such proceeding before any justice of the peace or police magistrate, and such proceeding shall be tried in like manner as other suits before a justice of the peace.

725. Bitch in Heat—At Large—Penalty.] § 19. Any owner or keeper of any bitch, who shall knowingly permit or allow the same to run at large while in heat, shall be guilty of a misdemeanor, and shall upon conviction be fined not less than five dollars nor more than twenty-five dollars for each offense.

ARTICLE XVI.

ELECTRIC SIGNS AND DISPLAYS.

Section.	Section.
726. Electric Signs and Displays Over Sidewalks, etc.—Permit.	733. National Electric Code Adopted.
727. Application — Contents — Approval of Council.	734. Construction, Size, etc. — Must be Approved by Superintendent of Buildings — Prevention and Removal of Unlawful Signs.
728. Permit—By Whom Issued—Specifications.	735. Existing Electric Signs—Supervision of.
729. Fees.	736. Supports, Conductors, etc.—Location.
730. Extension Over Sidewalk, etc.—Supports.	737. Injury to Electric Signs.
731. Inspection — Certificate of Required.	738. Penalty.
732. Who May do Electrical Work—Must Know Permit Has Issued.	

726. Electric Signs and Displays Over Sidewalks, etc.—Permit.]

§ 1. No person shall erect, suspend or maintain any electric sign or display over any of the sidewalks, streets, alleys or other public places in the City of Bloomington without first making application and obtaining a permit in the manner hereinafter provided.

727. Application—Contents—Approval of Council.] § 2. The application herein required shall be made to the City Council by the person, firm or corporation desiring to erect said sign or display, or his, their or its agent, and shall be in writing specifying accurately the weight, length, width and proposed location of said sign or display. No permit shall be issued except upon the approval of said application by the council: *Provided*, that the council may in its discretion refer the matter of approving said application to the Commissioner of Public Health and Safety with power to act.

728. Permit—By Whom Issued—Specifications.] § 3. The Commissioner of Public Health and Safety shall issue the permits herein provided for. Before issuing any such permit the Commissioner of Public Health and Safety shall have power to require the applicant to specify in writing in detail the manner of erection and construction which is proposed to be followed in the installation of said sign or display.

729. Fees.] § 4. The applicant for a permit shall pay all fees for such permit, together with all fees for the inspection of such electric sign or display. The fee for said permit shall be one dollar.

730. Extension Over Sidewalk, etc.—Supports.] § 5. No electric sign or display hereafter erected shall extend more than eight feet over any sidewalk, street, alley or other public place; nor shall any existing electric sign or display be altered in such a manner that it will extend more than eight feet over any sidewalk, street, alley or other public place. No existing electric sign or display shall be replaced with a new one which violates the foregoing requirement. No such sign or display shall be supported at the outer end by posts or other supports extending downward or outward from said sign or display.

731. Inspection—Certificate of Required.] § 6. After the erection of any electric sign or display, the feed wires shall not be connected, nor shall the current be turned into said feed wires, until a certificate of inspection has been obtained from the City Electrician.

732. Who May do Electrical Work—Must Know Permit Has Issued.] § 7. The electrical work in erecting, constructing or installing any electric sign or display shall be done by persons, firms or corporations licensed and authorized to do electrical work on the inside of buildings in the City of Bloomington, and by no other persons, firms or corporations. No such person, firm or corporation shall commence said work until they have ascertained that a permit therefor has been issued as required by this article.

733. National Electric Code Adopted.] § 8. The method to be used in the electrical construction and wiring of all electric signs and displays shall be uniform and shall be the method prescribed by the National Board of Fire Underwriters, and known as the National Electric Code.

734. Construction, Size, etc.—Must be Approved by Superintendent of Buildings—Prevention and Removal of Unlawful Signs.] § 9. The construction, size, shape, manner of suspension, supports and location, except the method of electrical construction and wiring, of all electric signs and displays shall be under the direction and supervision of the Superintendent of Buildings, and the same must meet with his approval. He shall have the power, under the supervision of the Commissioner of Public Health and Safety, to prevent the erection or cause to be removed any such electric sign or display hereafter proposed to be erected, in the process of erection or having been erected, and which will not or does not conform to the requirements of this article.

735. Existing Electric Signs—Supervision of.] § 10. All electric signs or displays existing at the time of the passage of this ordinance must meet with the approval of the Superintendent of Buildings in the particulars specified in the last preceding section, and he shall have the power to cause the removal or alteration of any existing sign or display which does not so meet with his approval upon giving ten days notice thereof in writing. Any person, firm or corporation failing or refusing to remove or alter any such electric sign or display within the said ten days after receiving such notice shall be deemed guilty of a violation of

this section, and each day such sign or display shall so remain shall be a separate offense.

736. Supports, Conductors, etc.—Location.] § 11. No supports, guys, braces, fixtures or attachments of any electric sign or display shall in any way be allowed to obstruct any part of a fire escape. No foreign conductor shall be attached to any fire escape or suspended close enough to the same to prevent easy access thereto. Any person, firm or corporation who owns or controls any such support, guy, brace, fixture or other attachment which so obstructs any fire escape shall remove the same within twenty-four hours after being notified so to do in writing by the Superintendent of Buildings. Every day any such obstruction is allowed to remain after the expiration of said twenty-four hours shall be considered a separate offense under this section.

737. Injury to Electric Signs.] § 12. It shall be unlawful for any person to obstruct, break, mutilate, disconnect or in any way interfere with or injure any electric sign or display, or any support or part by which the same is secured.

738. Penalty.] § 13. Any person, firm or corporation violating any of the provisions of this article shall be fined not less than five dollars nor more than one hundred dollars for each offense.

ARTICLE XVII.

FIREARMS, FIREWORKS, CANNON AND SHOOTING GALLERIES.

Section.	Section.
739. Firearms — Discharge Prohibited—Permit by Mayor—Contents—Penalty.	748. Fireworks—Amount Allowed Under Permit.
740. Cannon—Discharge Prohibited—Mayor May Permit—Penalty.	749. Safety Signs—Exposed Flame.
741. Shooting Gallery—License—Penalty.	750. Fireworks—Storage, Sale and Firing of Certain Kinds Prohibited.
742. License Fee.	751. Fireworks—Time of Retail Sale—Time May be Kept in Stock—Regulations for Storage Under Wholesale Permit.
743. Fireworks—Discharge Prohibited—Mayor May Permit—Penalty.	752. Fireworks—Moving Vehicle or Boat.
744. Fireworks—Permit Required for Storage or Sale—Application — Permit Filed and Posted.	753. Fireworks—Manner and Place of Discharge.
745. Permit—Inspection Prior to.	754. Penalty.
746. Premises for Which Permits Will not be Granted.	755. Fireworks Illegally Handled—May be Removed.
747. Regulations.	756. Fire Appliances—Instruction.
	757. Confiscation.

739. Firearms—Discharge Prohibited—Permit by Mayor—Contents—Penalty.] § 1. No person shall fire or discharge any gun, pistol, fowling piece or other firearm within the corporate limits of the City of Bloomington: *Provided*, that the Mayor by a written permit may grant to any person the privilege so to use such firearms, but said written permit shall state the name of the person to whom it is given, the territory in which said use may be exercised, the time at which said use may take place, the purpose for which it is permitted, the type of firearm which may be used, and the exact time such permit shall expire. No permit shall contain the name of more than one person.

Any person who shall fire or discharge any such firearm without such permit, or who, having obtained such permit shall violate any of the terms restrictions or conditions therein contained, shall be fined not less than five dollars nor more than twenty dollars for each offense.

This section shall not apply to duly authorized officers of the law in the discharge of their duty.

740. Cannon—Discharge Prohibited—Mayor May Permit—Penalty.]

§ 2. No cannon or piece of artillery shall be discharged or fired off within the limits of said city without a written permit from the Mayor, under a penalty of twenty-five dollars for each offense.

741. Shooting Gallery—License—Penalty.] § 3. No person shall own, keep or run any shooting gallery or place for target shooting without first obtaining a license therefor, under a penalty of twenty-five dollars for each offense. Each day that any such shooting gallery or place for target shooting shall be kept or run shall constitute a separate offense.

742. License Fee.] § 4. The rate of license for shooting galleries and places for target shooting shall be ten dollars for one year, and five dollars for one month. No license shall be issued for less time than one month.

743. Fireworks—Discharge Prohibited—Mayor May Permit—Penalty.] § 5. The firing or discharging of fireworks hereby is prohibited, except by permission from the Mayor issued at least thirty days previous to the day or days on which it shall be allowed. Any violation of this section shall subject the offender to a fine of not less than five dollars nor more than twenty-five dollars.

744. Fireworks—Permit Required for Storage or Sale—Application—Permit Filed and Posted.] § 6. No person or persons shall store or sell fireworks at wholesale or retail without a permit issued by the Mayor. Applications for permit to sell must be filed with the Chief of the Fire Department not later than twenty days prior to that named by the Mayor as the day or days on which said fireworks may be set off or fired, and it must state: (a) The name of the person or persons by whom the permit is desired; (b) Location of the premises in which the goods are to be stored or sold; (c) Kind of building to be used; (d) Other

occupancy of building. A copy of permit, if granted, shall be filed with the fire department and police officials having immediate supervision, and a copy of the same be posted in the nearest fire house.

745. Permit—Inspection Prior to.] § 7. Permits may be issued only after an inspection of the premises by the Chief of the Fire Department or his authorized agent, who shall file with the Mayor a certificate of approval, or his disapproval and the reasons therefor.

746. Premises for which Permits Will Not be Granted.] § 8. No permits shall be granted for the sale at wholesale or retail of fireworks in any premises used for the following purposes:

(a) Where paints, oils, gasoline, or other inflammable liquid, tar, pitch, resin, hay, cotton, hemp, or other combustible fibre or stock is manufactured or kept for sale or storage, or in any carpenter shop or drug store.

(b) Where dry goods of any kind or other light material of a combustible nature, excepting flags, paper lanterns, paper balloons, decorations or newspapers, are kept for sale; these exceptions shall be stored or offered for sale at a safe distance from the fireworks. The accredited representatives of the fire department shall have discretionary powers in these matters.

(c) On other than a street grade floor.

(d) Where gunpowder, blasting powder or other high explosives are sold, or in any structure considered especially hazardous by the fire department.

(e) Where cigars, cigarettes, liquors or spirits are kept for sale.

747. Regulations.] § 9. In buildings or places in which fireworks are stored or kept for sale at wholesale or retail, the following regulations, with all others mentioned in this article, must be observed, and it shall be the duty of the Chief of the Fire Department or his authorized agent to see that they are complied with:

(a) Safety matches only may be kept in stock, sold, given away or used.

(b) No fireworks shall be exposed for sale outside the walls of any building, nor in any doorway or show window, and they must be kept remote from any open flame or fire and the direct rays of the sun.

(c) Lighting must be by electricity (incandescent) or other light acceptable to the Chief of the Fire Department.

(d) Exits both front and rear, shall be provided and kept open or provided with doors opening outward.

748. Fireworks—Amount Allowed Under Permit.] § 10. The entire amount of said fireworks that may be kept on hand in any building under any permit shall not be in excess of the market value of five hundred dollars; except that if all such fireworks are packed in shipping boxes, the amount allowed by a wholesale permit may be increased at the discretion of the Chief of the Fire Department.

749. Safety Signs—Exposed Flame.] § 11. When a permit is issued to sell fireworks, the person or persons receiving the permit shall cause the word "Fireworks," with at least a six inch black letter on a red ground, to be prominently exposed inside and outside of the premises. There shall also be exposed in close proximity to these fireworks signs, a sign with at least six inch black letters on a white ground, to read "No smoking." It will then be a misdemeanor during the period for which the permit has been granted for any person or persons to enter said premises with a lighted cigar, cigarette or other exposed light or fire, or to light or to cause same to be lighted or burned therein, or for the proprietor, owner or occupant to knowingly allow lighted or burning articles to be on the premises.

750. Fireworks—Storage, Sale and Firing of Certain Kinds Prohibited.] § 12. The storage, sale and firing of the following kinds of fireworks is prohibited:

Fireworks containing chlorate of potash or other high explosives; fire crackers larger than five inches in length or three-fourths of an inch in diameter; marbles coated with an explosive mixture; fireworks containing picric acid or picrates; colored fire or other fireworks containing sulphur and chlorate of potash in admixture; pistols, cannons, canes, or other appliances using blank cartridges or using caps containing chlorate of potash mixture; bombardments or mandarins made of chlorate of potash mixture; cartridge exploders; and torpedoes larger than three-quarters of an inch in diameter. Flash powder shall not be permitted in any one place in greater quantity than fifteen pounds.

751. Fireworks—Time of Retail Sale—Time May Be Kept in Stock—Regulations for Storage Under Wholesale Permit.] § 13. Fireworks shall be sold at retail only during the four days preceding and on the day or days on which their use and discharge is permitted, and no fireworks shall be kept in stock at any retail establishment for more than fourteen days preceding and three days following such day or days.

No fireworks shall be kept in stock under any wholesale permit for more than twenty-one days preceding nor five following the day or days on which their general use is permitted, except in a fire-proof vault or other building constructed and located to the satisfaction and approval of the Chief of the Fire Department, and in accordance with the rules and requirements of the National Board of Fire Underwriters. Said vault or building shall be located outside the fire limits.

752. Fireworks—Moving Vehicle or Boat.] § 14. No fireworks shall be set off or fired from any moving vehicle or boat within the city limits except under special permit and supervision.

753. Fireworks—Manner and Place of Discharge.] § 15. Rockets, Roman candles, bombs, mines and pieces of like character intended for aerial display shall be started only from suitable structures and at such distances from surrounding buildings as to prevent personal injury and

to give the ascending portion an uninterrupted passage to the limits of its flight. No fireworks of any kind shall be fired or discharged within the danger zone of inflammable or combustible materials or fluids, or attached to frame buildings or structures, or out of view of the person so firing.

754. Penalty.] § 16. Any person, firm or corporation violating any of the provisions of this article as regards the storage, sale or setting off of fireworks shall be deemed guilty of a misdemeanor and be fined not less than ten dollars nor more than fifty dollars for each day's neglect of compliance, and each day's failure to comply herewith shall be deemed a separate offense.

755. Fireworks Illegally Handled—May be Removed.] § 17. The Chief of the Fire Department may, in his discretion, remove or have removed, at the owner's expense, all stocks of fireworks or other combustibles exposed for sale or held in stock in violation of this article.

756. Fire Appliances—Instruction.] § 18. The Chief of the Fire Department shall direct such fire appliances as in his judgment may be necessary for the premises, and he shall see that two or more persons are instructed in their use, and adopt the best means of getting fire alarms to the fire department.

757. Confiscation.] § 19. The police department shall have power to confiscate and destroy all fireworks being used or discharged in violation of this article.

ARTICLE XVIII.

GAMING.

Section.	Section.
758. Gaming House—Penalty.	761. Gaming Device on Street—Penalty.
759. Gaming—Penalty.	762. Visitor — Frequenter — Runner, etc.—Penalty.
760. Bringing Into City or Possessing Gaming Device—Penalty.	763. Seizure of Implements, etc.—Resistance—Penalty.

758. Gaming House—Penalty.] § 1. Whoever keeps a common gaming house, or in any building, booth, yard or garden by him or his agent used and occupied, procures or permits any persons to frequent or to come together to play for money or other valuable thing at any game, or keeps or suffers to be kept any tables or other apparatus for the purpose of playing at any game or sport for money or other valuable thing, or knowingly rents any such place for such purposes shall be fined not less than twenty-five dollars and not exceeding one hundred dollars for each offense.

759. Gaming—Penalty.] § 2. Whoever shall be an inmate of or connected with any gaming room, or shall play for money or other valuable thing at any game with cards, dice, checks, or at billiards, or with any other article, instrument or thing whatsoever which may be used for the purpose of playing or betting upon or winning or losing money or any other valuable thing or article of value, or shall bet on any game that others may be playing, shall be fined not less than five dollars nor more than fifty dollars for each offense.

760. Bringing Into City or Possessing Gaming Device—Penalty.] § 3. No person shall bring into the City of Bloomington, or have in his, her or their possession in said city, for the purpose of gaming, any table, thing or device of any kind or nature whereon or with which money or any other thing of value in any manner can be played for, under penalty of not less than twenty-five dollars for each offense.

761. Gaming Device on Street—Penalty.] § 4. No person shall expose in any street, alley or other public place within the City of Bloomington any table or device of any kind whatever upon or by which any game of chance or hazard can be played, or shall play at or upon any such table or device, under the penalty of twenty-five dollars for each offense.

762. Visitor—Frequent—Runner, etc.—Penalty.] § 5. Any person who is a frequenter, visitor, inmate, doorkeeper, solicitor, runner, agent or abetter of or for any house, store, grocery, hall, room, or any other place where is kept any device, instrument or other thing used for gambling, whereon or with which money or any other thing of value shall be played for, shall be fined in a sum not less than twenty-five dollars nor more than one hundred dollars.

763. Seizure of Implements, etc.—Resistance—Penalty.] § 6. It is hereby made the duty of every member of the police force to seize any table, instrument, device or thing used for the purpose of gaming; and all such tables, instruments, devices or things shall be destroyed. Any person or persons obstructing or resisting any member of the police force in any act authorized by this section shall be subject to a fine of not less than fifty dollars for each offense.

ARTICLE XIX.

GARBAGE, ASHES, RUBBISH, ETC.

Section.	Section.
764. Garbage Defined.	770. Premises Not on Alley—Location of Receptacles—Corner Lots—Collection of Ashes and Rubbish.
765. Garbage, Ashes and Rubbish—Prohibited in Street, etc.	771. Premises Not on Alley—Garbage, etc., to be Set on Curb Line—Time.
766. Garbage Receptacle Required.	772. Garbage to be Drained.
767. Garbage Receptacle—Kind—Ashes and Rubbish in Alley—Concrete Receptacles—Kind and Location.	773. Defective Receptacles.
768. Ashes Kept Separate.	774. Removal by City—Limitation as to Places and Amounts.
769. Premises Abutting on Alley—Location of Receptacles—Corner Lots.	775. Garbage Haulers—Subject to Supervision—Interference With.
	776. Penalty.

764. Garbage Defined.] § 1. For the purposes of this article garbage shall be held and taken to be and include all animal and vegetable refuse, all tin cans or other receptacles or containers which have held any animal or vegetable matter, waste paper and like materials, cuspidor emptyings, and broken crockery, glass ware, metallic utensils and like materials.

765. Garbage, Ashes and Rubbish Prohibited in Street, etc.] § 2. It shall be unlawful for any person to throw or place any garbage, ashes or rubbish, whether or not the same is in a receptacle or container, upon any street, sidewalk, lawn, alley or other public place in the City of Bloomington, or to permit or cause any garbage, ashes or rubbish originating upon premises occupied by him to be so thrown or placed, except as hereinafter specifically allowed.

766. Garbage—Receptacle Required.] § 3. It shall be unlawful for any person to place or deposit any garbage, or cause the same to be placed or deposited, upon any premises occupied by him, or permit the same to remain thereon, except in such receptacles and in such locations as are hereinafter provided.

767. Garbage Receptacle—Kind—Ashes and Rubbish in Alley—Concrete Receptacles—Kind and Location.] § 4. The occupant of any

premises in the City of Bloomington shall provide for garbage a water tight galvanized or metallic can having a capacity of not more than twenty gallons, which shall be equipped with a tight fitting lid of the same material, and such can shall have a handle or handles thereon suitable for the lifting of the same. Said lid shall be kept on said can at all times when any garbage is contained therein.

Ashes and rubbish may be deposited for collection in the alley, but when so placed they shall be in neat piles next to the lot line. Rubbish shall be so piled that it shall not be blown or scattered by the wind.

It shall be permissible to erect and maintain a concrete garbage or ash receptacle of approved pattern and tight construction, but such concrete receptacle shall in all cases be built on the premises of the owner with the face of the receptacle on the alley lot line.

No such receptacle extending above the ground hereafter shall be erected on any street, alley, lawn or other public place.

768. Ashes Kept Separate.] § 5. No garbage, rubbish or other material shall be mixed or deposited with ashes, but all ashes shall be kept separate.

769. Premises Abutting on Alley—Location of Receptacles—Corner Lots.] § 6. On all premises abutting on an alley garbage cans shall be placed on the ground just inside the alley lot line at the most convenient point for the collector to reach the same. On all corner lots the garbage can shall not be placed nearer than twenty-five feet to any street or sidewalk line. The provisions of this section shall apply to ash containers when the same are used.

770. Premises Not on Alley—Location of Receptacles—Corner Lots—Collection of Ashes and Rubbish.] § 7. Where there is no alley all garbage cans, and ash containers if the same are used, shall be kept on the rear half of said premises, and on all corner lots they shall be kept at least a distance of half the width of the lot from the street running along the side thereof.

Whenever it is desired to have the ashes collected from such premises by the city, containers of tight construction, with suitable handles for lifting, shall be provided by the occupant of such premises, to be placed at the curb line at the times hereinafter provided.

Whenever it is desired to have rubbish collected from such premises by the city, the said rubbish shall be placed at the curb line, so piled that it shall not be blown or scattered by the wind, at the times hereinafter provided.

771. Premises Not on Alley—Garbage, etc., to be set on Curb Line—Time.] § 8. At least one hour and not more than five hours before the

collector makes his regular rounds the occupants of such premises shall place or cause to be placed the said garbage can and ash container and any rubbish on the curb line. Said cans and containers shall be returned to the premises within five hours after being emptied.

772. Garbage to be Drained.] § 9. All garbage shall be drained of liquids before being deposited in the can.

773. Defective Receptacles.] § 10. Whenever any garbage can or receptacle or ash container shall become defective it immediately shall be repaired or replaced by one in good condition.

774. Removal by City—Limitation as to Places and Amounts.] § 11. No ashes, garbage or rubbish shall be hauled by the city from any premises owned, occupied or controlled by any corporation or body possessing separate tax levying power.

Not more than one-fourth of a load of building material or excavated dirt shall be hauled by the city from any premises during any one month.

Not more than one-fourth of a load of ashes, garbage or rubbish shall be hauled by the city from any premises during any one day.

775. Garbage Haulers—Subject to Supervision—Interference With.] § 12. No person shall engage in collecting or removing garbage within said city except under the direction of the Commissioner of Public Health and Safety, and it shall be unlawful for any person to interfere with, hinder or obstruct the removal of garbage or ashes by any person authorized to do so.

776. Penalty.] § 13. Any person, firm or corporation violating any of the provisions of this article, or refusing or neglecting to conform to or carry out any of the requirements hereof, shall be fined not less than one dollar nor more than fifty dollars for each offense.

ARTICLE XX.

GRADES.

Section.

777. Base for City Levels.

778. Grades Established.

777. Base for City Levels.] § 1. The permanent grades of streets and alleys in the City of Bloomington, hereinafter fixed, are referred to a plane as base or datum for all city levels; said plane referred to is 120.58 feet below the center of an aluminum plate placed near the southeast corner of the McLean County Court House by the United States Geological Survey.

778. Grades Established.] § 2. The grades of said city at the points indicated in the following table contained in this article hereby are established by authority of the council as follows, to-wit:

[illegible]

ARTICLE XXI.

HEALTH.

Section.	Section.
779. Contagious Disease — Report by Physician—Quarantine	798. Vegetables and Fruits—Manner of Display.
780. Penalty.	799. Slaughter or Exposure on Streets Prohibited.
781. Quarantine — Persons Shall not Leave Premises Under —Penalty.	800. Carrying Meat Through Streets.
782. Contagious Disease — Persons Having Must Keep Off Street — Conveyances and Clothing—Penalty.	801. Offal or Butcher's Refuse—Conveyance of.
783. Quarantine — Physicians to Report Condition of Persons in—Penalty.	802. Public Pound—Care of Animals.
784. Physicians, etc., to Disinfect Clothes—Penalty.	803. Matter Offensive—Not to be Opened, etc.—When—Permit.
785. Quarantine Signs—Protection of—Penalty.	804. Intramural Burial—Prohibited.
786. Fumigation — Second Hand Goods Subject to—Penalty.	805. Privy Vault—Requirements.
787. Contagious Disease—Not to be Brought Into City—Penalty.	806. Privy—Offensive—Penalty.
788. Contagious Disease—Who May Enter House—Penalty	807. Depositing Garbage—Penalty.
789. Death From Contagious Disease—Burial — Attending Funeral.	808. Polluting Water Supply—Penalty.
790. Infectious Disease—Vacation of Premises Enforced—When.	809. Failure to Comply With Order of Board—Proceedings.
791. Ventilation — Cleanliness — Temperature of Stores, etc.	810. Offensive Liquids — Depositing on Streets, etc., Prohibited—Penalty.
792. Privies, etc.—To be Provided.	811. Stable, etc.—Offensive—Penalty.
793. Cellar or Place Illy Ventilated	812. Cesspool—Not to be Filled Until Cleaned—Penalty.
794. Light — Ventilation — Cleanliness of Leased Premises.	813. Offensive Occupations—Permits.
795. Connection With Sewers.	814. Rendering—Deodorizing.
796. Structures Connected With Sewers—Construction of.	815. Rendering—How Conducted.
797. Garbage, etc.—Not to Fall upon Street.	816. Manufactory Generating Offensive Gases, etc.
	817. Animals Kept—Ventilation and Food.
	818. Stables, etc.—Cleanliness of —Infected Animals.
	819. Offensive Matter—Disinfected Before Removal.

Section.	Section.
820. Passage of Vehicles on Streets—Storage of.	834. Sale of Diseased Live Animal—Penalty.
821. Construction of Carts, etc.	835. Animal or Thing Occasioning Nuisance—Keeping Prohibited.
822. Deposit of Offensive Matters—Prohibited—Manure.	836. Building, etc.—Causing Nuisance, Prohibited.
823. Manure — Receptacles — Removal—Penalty.	837. Premises Offensive—Penalty.
824. Diseased or Sickly Animal—Not to be Brought in.	838. Weeds, etc.—Nuisance—Penalty.
825. Impure Ice—Sale of Prohibited.	839. Business Causing Nuisance—Prohibited.
826. Dead Animal—Owner, etc.—To Remove on Notice—Penalty.	840. Ambulances—Right of Way—Obstruction of—Penalty.
827. Dead Animal on Lot—Owner to Remove—Penalty.	841. Enforcing of This Article—Duty of Officer.
828. Dead Animal—Police to Remove—When.	842. Abatement of Nuisances.
829. Exposing Animal to View, etc.	843. Maintaining Nuisance After Conviction.
830. Dead Animals — Place and Manner of Burial — Penalty.	844. Chief of Police to Abate—When.
831. Manufactories, etc—Removal of Ashes—Smoke, Cinders, etc, Not to Escape.	845. Liable for Costs of Abatement.
832. Dead Body—Not to be Retained or Exposed.	846. Unwholesome Food—Penalty.
833. Animal or Thing Imperiling Health—Exposure Prohibited.	847. Milk—Prohibited Quality.
	848. Burning Leaves, etc.—When Prohibited—Penalty.
	849. Penalty.

779. Contagious Disease—Report by Physician—Quarantine.] § 1.

It shall be the duty of every physician practicing in the City of Bloomington to report within twelve hours after he may be called to treat the same, to the Commissioner of Public Health and Safety any case of smallpox, scarlet fever, diphtheria, tuberculosis, typhoid, measles, whooping cough, chicken pox, meningitis, acute poliomyelitis, or any other disease of a communicable nature by which public health or safety may be endangered.

Upon any such report being received the Commissioner of Public Health and Safety immediately shall cause the reported person or persons and the premises where they are located to be placed under quarantine if he deems it necessary for the public safety, until such time as the Board of Health decides that such person or persons have passed the period of communicating the disease to others, and the apartments and effects of the

said person or persons shall be fumigated and disinfected in the usual manner when the disease or diseases are believed no longer to exist.

780. Penalty.] § 2. Any physician failing to comply with the provisions of the above section shall be fined not less than one dollar nor more than fifty dollars for each offense.

781. Quarantine—Persons Shall Not Leave Premises Under—Penalty.] § 3. The inhabitants or occupants of any place that is under quarantine are forbidden to leave the premises until the quarantine has been released, and then only after the usual precautionary measures of disinfection and fumigation have been taken and the permission of the Commissioner of Public Health and Safety or his agents has been given. Any quarantined person violating the provisions of this section or the orders of the Commissioner of Public Health and Safety, the Board of Health or any member thereof, shall be fined not less than ten dollars nor more than fifty dollars.

782. Contagious Disease—Persons Having Must Keep off Street—Conveyances and Clothing—Penalty.] § 4. Any person having any dangerous, contagious or infectious disease who shall wilfully expose himself in the public streets, public places, conveyances or vehicles, while in danger of giving the disease to others, and any driver or owner of such vehicle or conveyance who does not immediately disinfect the same after conveying such diseased person, and any person who gives, lends, sells, transmits, conveys or exposes any clothing, rags, bedding or other things which have been exposed to infection or contagion, shall be liable to a fine of not less than five dollars nor more than one hundred dollars.

783. Quarantine—Physicians to Report Condition of Persons in—Penalty.] § 5. Physicians having charge of quarantine cases shall make full reports in writing to the Commissioner of Public Health and Safety of the conditions of such cases whenever requested to do so by the said commissioner or his agents. Any physician failing to make such report within twenty-four hours after being so requested shall upon conviction thereof be fined not less than five dollars nor more than fifty dollars.

784. Physician, etc., to Disinfect Clothes—Penalty.] § 6. Any physician, nurse or other person attending or being about any person having any contagious disease, who shall not change or purify his wearing apparel before going upon any street or into any public place, or shall otherwise so conduct himself as to increase the danger of spreading the disease, shall be liable to a fine of not less than five dollars nor more than one hundred dollars for each offense.

785. Quarantine Signs—Protection of—Penalty.] § 7. The Commissioner of Public Health and Safety shall have the right and authority to prohibit the displaying, posting or distributing of any printed signs, bills or placards in red colors within the city, the red color having reference to the body of such signs, bills or placards. The right to use this color

is reserved to the health department for purposes of warning and quarantining as indications of danger or for the public safety. Any person so displaying, posting or distributing such signs, bills or placards within the city when the same have been prohibited by the Commissioner of Public Health and Safety shall be fined not less than one dollar nor more than fifty dollars for each offense. The said prohibition may be made by the Commissioner of Public Health and Safety by personal notice by him or his agents, or by a public proclamation in any daily newspaper published in the City of Bloomington and having a daily circulation of over seven thousand copies.

786. Fumigation—Second Hand Goods Subject to—Penalty.] § 8.

The Commissioner of Public Health and Safety hereby is given authority to cause all household goods, bedding, furniture, wearing apparel and other articles offered for sale in any second hand store or at rummage sales or elsewhere to be fumigated and disinfected before the same are offered for sale. The owner or possessor of any such goods who shall fail or neglect to fumigate the same after being ordered so to do by the Commissioner of Public Health and Safety or his agents, and who shall sell or offer the same for sale, shall be fined not less than one dollar nor more than fifty dollars for each offense.

787. Contagious Disease—Not to be Brought Into City—Penalty.]

§ 9. Whoever shall bring into the city, or aid or assist in bringing into the city, any dangerous, contagious or infectious disease, or any clothing, bedding or other article or thing infected with or which has been exposed to infection with any contagion or infectious disease, shall be fined not less than five dollars nor more than one hundred dollars.

788. Contagious Disease—Who May Enter House—Penalty.] § 10.

No person other than the attending physician, and those having the written permission of the Commissioner of Public Health and Safety shall remain in, enter or depart from any house where any person is sick with any contagious or infectious disease, or while the corpse of any person who shall have died of such disease is within the house, nor within ten days after such corpse shall have been removed, or the sick person therewith has become entirely recovered of such disease, and said building, the clothing, beds and other household goods therein, shall have been thoroughly disinfected or otherwise disposed of to the satisfaction of the Board of Health; and any person violating this section shall be subject to a fine of not less than five dollars nor more than fifty dollars.

789. Death From Contagious Disease—Burial—Attending Funeral.]

§ 11. When any person shall have died of any contagious or infectious disease, the corpse shall be buried within thirty-six hours after death and shall not be removed from the building where such person died until removed for burial, and shall then be taken immediately to the place of burial, without being taken into any church or other building, and it shall be so specified in the burial permit; and it shall be unlawful for any per-

son or persons other than the near relatives of the deceased person, and six other adult persons, to attend the funeral of any person who shall have died of any contagious or infectious disease.

790. Infectious Disease—Vacation of Premises Enforced—When.]

§ 12. Whenever it shall be decided by the Board of Health that any building, or part thereof, is unfit for human habitation by reason of its being so infected with disease, or from other causes, as to be likely to cause sickness among the occupants and notice of such decision shall have been affixed conspicuously on such building, or part thereof so decided to be unfit for human habitation, and personally served upon the owner, agent or lessee, if the same can be found in the city, requiring all persons therein to vacate such building or part thereof for the reason to be stated therein, as aforesaid, such building or part thereof shall within ten days thereafter be vacated, or within such shorter time, not less than twenty-four hours, as in said notice may be specified.

791. Ventilation—Cleanliness—Temperature of Stores, etc.] § 13.

No person being the owner, proprietor, lessee, manager or superintendent of any store, factory, workshop or other structure or place of employment where workmen and workwomen are employed for wages, shall cause, permit, or allow the same or any portion or apartment of, or any room therein to be overcrowded or inadequate, faulty, or insufficient in respect to ventilation or cleanliness; and in every such building, or apartment or room in any such building, where one or more persons are employed, as aforesaid, at least five hundred cubic feet of air space shall be allowed each and every person employed therein, and the air changed or renewed at least once in every twenty minutes during the hours of employment; and any such owner, proprietor, lessee, manager or superintendent shall cause every part thereof in which any person may work to be maintained at such temperature and be provided with such accommodations and safeguards as not by any reason of the want thereof or anything about the condition of any such premises or its appurtenances, to cause unnecessary danger or detriment to the health of any person being properly therein or thereat.

792. Privies, etc.—To be Provided.] § 14. All such places of employment or service shall be provided with sufficient and separate privies and urinals for male and female employees, and such privies shall be ventilated and kept in a clean and inoffensive condition.

793. Cellar or Place Illy Ventilated.] § 15. No person, having the right and power to prevent the same, shall knowingly cause or permit any person to sleep or remain in any cellar or in any place dangerous or prejudicial to health by reason of want of ventilation or drainage, or by reason of the presence of any poisonous, noxious or offensive substances or otherwise.

794. Light—Ventilation—Cleanliness of Leased Premises.] § 16. No person, whether owner, agent, lessee or otherwise, in control of any

building or any part thereof, shall lease, let or hire out the same, or any portion thereof, to be occupied by any person, or allow the same to be occupied, as a place in which anyone may dwell or lodge, unless such building, or such part thereof, is sufficiently lighted, ventilated, provided and accommodated and in all respects in that condition of cleanliness and wholesomeness for which the ordinances of the city or any law of this state provides, or in which they or either of them require any such premises to be kept.

795. Connection With Sewers.] § 17. Every house situated upon a lot on a street or alley in which there is a sewer and a water main, or is connected with a sewer and water main, shall have all water closets, cesspools, sinks and drains furnished with a proper connection with the sewer, which connection shall be adequate for the purpose of permitting whatever enters the same freely to pass.

796. Structures Connected With Sewers—Construction of.] § 18. No water closet, sink, tub, vat or other structure shall be constructed within the City of Bloomington, having connection with any sewer or underground passage unless the same is provided with adequate or the best generally approved constructions and precautions for preventing gases and other offensive currents, substances and smells from passing up or out through such connection from such sewer or passages; nor shall any such water closet or privy be constructed without adequate provision for the effectual and proper ventilation and cleansing thereof.

797. Garbage, etc.—Not to Fall Upon Street.] § 19. No garbage swill, offal, manure or other offensive substance, nor any ashes or dirt shall be allowed to run or fall out of any building, vehicle or structure into or upon any street or public place.

798. Vegetables and Fruits—Manner of Display.] § 20. No grocer or vendor of vegetables or fruits for sale for domestic use shall offer for sale or exhibit such vegetables or fruits in his store or in front thereof unless the same are placed upon benches or in receptacles which are at least twenty-one inches above the floor or ground, and any person violating this section shall be fined not less than one dollar nor more than five dollars for each offense.

799. Slaughter or Exposure on Streets Prohibited.] § 21. No cattle, sheep, hogs or other animals shall be slaughtered, or the meat or any part thereof dressed or hung within said city, wholly or partly within any street, avenue, sidewalk, alley or public place.

800. Carrying Meat Through Streets.] § 22. No slaughtered meat shall be carried or conveyed upon or along any of the streets, alleys or public places of the city unless the same is protected in such manner as to conceal it from public view. No blood or dirty water from any such meat, or place of killing, or the appurtenances thereof, shall be allowed to run, fall or be in any street, alley or public place.

801. Offal or Butcher's Refuse—Conveyance of.] § 23. No offal or butcher's refuse shall be conveyed through any street, alley or other public place within said city between the hours of ten o'clock a. m. and ten o'clock p. m., and no offal or refuse shall be conveyed at any time unless the same be in tight boxes, barrels or vessels from which no odor shall escape.

802. Public Pound—Care of Animals.] § 24. No keeper of any public pound in said city shall allow the same, or any animal therein to become or be dangerous or detrimental to human health by reason of any want of care, food, ventilation or cleanliness, or otherwise.

803. Matter Offensive—Not to be Opened, etc.—When—Permit.] § 25. No ground or material filled with offensive substance or matter, or that will emit or allow to arise through or from the same any offensive smell or deleterious exhalation, shall be opened, turned up or the surface thereof removed between the first day of May and the first day of October of any year, except according to a permit first obtained from the Commissioner of Public Health and Safety.

804. Intramural Burial—Prohibited.] § 26. It shall be unlawful for any person to bury the body of a human being within the corporate limits of said city, or to deposit any such body in any vault within the limits of the city except within an established cemetery in said city.

805. Privy Vault—Requirements.] § 27. Each and every tenement in said city used as a dwelling house, when not on a lot adjacent to a sewer, shall be furnished by the owner or the agent of the same with a suitable privy, the vault of which shall be sunk under ground at least six feet deep, and shall be walled up with brick, stone, concrete or wood, and shall be so constructed that the outside of said wall shall be at least three feet distant from the line of every adjoining lot, unless the owner of the adjoining lot shall otherwise agree, and shall also be at least five feet distant from every street, alley, lane or avenue, and such vault shall not be allowed to fill within two feet of the surface of the ground.

806. Privy—Offensive—Penalty.] § 28. Whenever any privy in said city shall be kept in such condition that the smell arising therefrom shall become offensive to any portion of the citizens, the same shall be deemed and declared a nuisance, and the owner, occupant, or agent of the lot or premises on which any such privy is located shall be fined in any sum not exceeding ten dollars nor less than five dollars, and the further sum of ten dollars for every day he shall suffer said nuisance to continue after the first conviction.

807. Depositing Garbage—Penalty.] § 29. It shall not be lawful for any person to throw or deposit, or cause to be thrown or deposited, at any place in said city any vegetables, meats, slops, animal matter, suds, garbage, filth, stable droppings or offal of any kind which will produce an offensive smell, or whereby the health of any portion of the community

may be affected or endangered; and every person violating the provisions of this section shall be deemed guilty of perpetrating a nuisance, and shall forfeit and pay not less than one dollar nor more than fifty dollars for each offense.

808. Polluting Water Supply—Penalty.] § 30. Any person who shall discharge or cause to be discharged into the Sugar Creek, within the limits of said city, or within three miles from said limits, any dead animal or offensive substance which will produce an offensive or nauseous smell, or which might effect the purity of the water, or endanger the health of any portion of the citizens, shall be deemed guilty of creating a nuisance; and every person so offending shall forfeit and pay not less than one dollar nor more than fifty dollars for each offense. And it shall be the duty of the City Marshal to cause the same to be removed immediately, if practicable, and charge the expense thereof to the offender or offenders, and sue for and collect the same by action of debt in the name of the City of Bloomington.

809. Failure to Comply With Order of Board—Proceedings.] § 31. Whenever the owner or agent of any tenement used as a dwelling house or for business or manufacturing purposes in said city shall neglect the notification of the Board of Health or City Marshal with regard to abatement of nuisances arising from privy vaults, sinks or cesspools, said board may order the same cleaned and disinfected within ten days by an odorless apparatus or machine or otherwise and the expense shall be collected by an action of debt in the name of the City of Bloomington.

810. Offensive Liquids—Depositing on Streets, etc., Prohibited—Penalty.] § 32. It shall not be lawful for any person in said city to throw or deposit or cause to be thrown or deposited any slops, suds, swill or other liquid substance on or about the premises or lot occupied by him in such manner that the same may be run or washed through or upon an adjoining lot, premises, street, alley or public place; nor shall any person discharge said substances in any manner upon any street, alley or public place. Any person violating this section shall be deemed guilty of perpetrating a nuisance and shall be fined not less than three dollars nor more than fifty dollars for each offense.

811. Stable, etc.—Offensive—Penalty.] § 33. It shall not be lawful for any person to keep in said city any hog pen, chicken coop, sink, cow house, stable or other thing or place in such condition that the smell arising therefrom shall be offensive to any person or neighborhood; and any person violating this section shall be deemed guilty of maintaining a nuisance, and shall forfeit and pay not less than one dollar or more than fifty dollars for each offense.

812. Cesspool—Not to be Filled Until Cleaned—Penalty.] § 34. It shall be unlawful for the owner or agent of any tenement used as a dwelling house, or for business or manufacturing purposes, in said

city, to cover with earth or fill up any abandoned privy vault, sink or cesspool connected with or on said premises, unless the same shall have been thoroughly cleaned and disinfected by an odorless apparatus or machine; and any owner or agent refusing or neglecting to comply with the terms of this section shall forfeit and pay the sum of five dollars, and the further sum of one dollar per day until the conditions of this section are complied with.

813. Offensive Occupations—Permits.] § 35. It shall be unlawful for any person, to establish or maintain within the limits of the City of Bloomington, or within one mile thereof, any tallow chandlery, tannery, soap factory or place for bone crushing, bone boiling, bone grinding, bone burning, shell burning, gut cleaning or glue making, and it shall be unlawful to steam, boil or render any tainted lard, tallow, offal or other unwholesome animal substance without first obtaining the consent of the city council; and whoever shall, without having first obtained such permission and consent, so conduct or carry on any such business as to taint the air and render it offensive or unwholesome, or so as to effect the health or comfort of persons residing in the neighborhood thereof, shall be fined not less than ten dollars nor more than fifty dollars.

814. Rendering—Deodorizing.] § 36. All persons engaged in the business of boiling or rendering of fat, lard or other animal matter shall cause the scraps or residium to be so dried or otherwise prepared immediately after the removal therefrom from the receptable in which the rendering process may be conducted, as to effectually deprive such material of all offensive odors, and to preserve the same entirely inoffensive.

815. Rendering—How Conducted.] § 37. No fat, tallow or lard shall be rendered except when fresh from the slaughtered animal and in a condition free from sourness and taint and all other cause of offense. All melting and rendering shall be done in steam tight vessels, the gases and odors therefrom to be destroyed by combustion or other means equally effective, and according to the best and most approved means and processes; and everything preceding and following and in connection with such melting and rendering, and the premises where the same shall be conducted shall be free from all offensive odors and other cause of detriment to the public health and comfort.

816. Manufactory Generating Offensive Gases, etc.] § 38. No person, firm or corporation shall erect, start or establish in said city without the consent of the city council any manufactory or place of business for boiling any varnish or oil, or for making any lampblack, turpentine or tar, or for conducting any other business that will or does generate any unwholesome, offensive or deleterious gas, smoke, deposit or exhalation, or any business that is or would be dangerous to life or detrimental to health. And whenever any manufactory or place of business already established in said city does hereafter generate any unwholesome, offensive or deleterious gas, smoke, deposit or anything that is detrimental to health

or dangerous to life, the owners or operators thereof shall at once take all necessary care and precaution to abate the same and shall comply with all reasonable orders and regulations of the city council in reference thereto. Any violation of this section shall subject the offender to a fine of not less than ten dollars and not more than one hundred dollars.

817. Animals Kept—Ventilation and Food.] § 39. No cattle, horses or other animals shall be kept in any place in which the water, ventilation and food are not sufficient and wholesome for the preservation of their health and safe condition; and no place where any such animals are kept shall be overcrowded. Nor shall any horse, cow, calf, swine, pig, sheep or goat be permitted to be kept in any house or building used for a dwelling place for any person or family.

818. Stables, etc.—Cleanliness of—Infected Animal.] § 40. Every owner or other person in control of the same, shall cause every stable or place where any cows, horses or other animals may be, to be kept at all times in a clean and wholesome condition, and shall not allow any animal to be therein while infected with any disease that is contagious or pestilential among such animals.

819. Offensive Matter—Disinfected Before Removal.] § 41. All putrid or offensive matter, and all night soil and the contents of sinks, privies, vaults, and cesspools, and all noxious substances in said city, shall before their removal or exposure be disinfected and rendered inoffensive by the person who removes or is about to remove the same.

820. Passage of Vehicles on Streets—Storage of.] § 42. No cart or other vehicle for carrying offal, swill, garbage, rubbish or the contents of any privy, vault, cesspool or sink, or having upon it or in it any manure or other nauseous or offensive substance, shall remain or stand in or upon any public place or street longer than is necessary for loading, unloading and passing along any street; nor shall a needless number gather before any building or near any place of business or other premises where any person may be; nor shall any such cart or vehicle occupy any unreasonable length of time in loading or unloading or in passing along any street or through any inhabited place or ground; nor shall any such cart or vehicle, or the driver thereof, or anything thereto pertaining, be, or by any person having a right to control the same be allowed to be, in a condition needlessly filthy or offensive; and when not in use all such carts and vehicles, and all implements used in connection therewith, shall be stored and kept in some place where no needless offense shall be given to any of the people of the said city.

821. Construction of Carts, etc.] § 43. All carts and vehicles in the preceding section mentioned, and boxes, tubs and receptacles thereon in which any substance in said section referred to may be or is carried, shall be strong and tight, so that no part of such contents or load shall fall, leak, or spill therefrom.

822. Deposit of Offensive Matters—Prohibited—Manure.] § 44.

No pile or deposit of offal, garbage, or accumulation of an offensive or nauseous substance, shall be made within the limits of said city; nor shall any person contribute to the making of any such accumulations; nor shall any straw, hay or other substance which has been used as bedding for animals be placed or dried upon any street, alley or sidewalk, or kept deposited or accumulated in such manner as to become offensive; nor shall any person or corporation unload, discharge or put upon or along the line of any railroad, street, highway or public place within said city any manure, offal, garbage or other offensive or nauseous substance; nor shall cars or flats loaded with or having in or upon them any such substance or substances be allowed to remain or stand on any railroad, street or highway within the limits of said city within three hundred yards of any dwelling house.

823. Manure—Receptacles—Removal—Penalty.] § 45. It shall be the duty of the occupant or owner or agent for any premises where stable manure is placed, stored or allowed to remain, to provide for the same a tight box or receptacle which shall be so constructed and covered as to prevent the entrance of flies. Between the first day of May and the last day of October of each year, the said occupant, owner or agent, at his own expense, shall cause the contents of said box or receptacle to be removed at least once in each two weeks and oftener if made necessary by reason of the said receptacles being filled.

Any person violating any provision of this section shall be guilty of a misdemeanor, and shall be fined not less than five dollars nor more than fifty dollars for each offense.

824. Diseased or Sickly Animal—Not to be Brought In.] § 46. No diseased or sickly animal of any kind or nature, nor any animal that has been exposed to any disease that is contagious among animals of its kind, shall be brought into the City of Bloomington.

825. Impure Ice—Sale of Prohibited.] § 47. It shall be unlawful for any person to sell to any family, person or corporation any impure ice, or any ice which shall contain filth or any other matter, substance or thing, and which will render water impure or the use of the same unhealthful.

826. Dead Animal—Owner, etc. To Remove on Notice—Penalty.] § 48. When any dead animal shall be found in any public street, alley or other public place in said city, it shall be the duty of the person owning such animal at the time of its death, or of the person who deposited or caused the same to be deposited, immediately to remove said animal, in such manner as to conceal the same from public view, beyond the limits of the city and bury the same; and if the owner of such animal or the person who deposited it, on being notified thereof by the City Marshal or any policeman or other person, shall after a reasonable time refuse or neglect to remove and bury the same as herein required, he

shall forfeit and pay not less than one dollar nor more than twenty-five dollars for each offense, and shall also pay the expense of removing and burying the same, which shall be taxed and collected as costs against such person.

827. Dead Animal on Lot—Owner to Remove—Penalty.] § 49.

When any dead animal shall be found on any lot or part of a lot in said city, it shall be the duty of the person owning or occupying such lot or part of lot to cause the said dead animal to be removed forthwith; and such owner or occupant of such lot or part of lot, or any other person removing said animal, may collect the expense of such removal from the person owning or depositing such dead animal; and if any owner or occupant of any lot or part of lot shall fail or neglect to remove such dead animal, he shall forfeit and pay not less than one dollar nor more than twenty-five dollars for each offense.

828. Dead Animal—Police to Remove—When.] § 50.

When any dead animal shall be found in said city, and shall not be removed within a reasonable time, it shall be the duty of the Chief of Police, Commissioner of Public Health and Safety or any policeman to cause the same to be removed and buried at the expense of the City of Bloomington.

829. Exposing Animal to View, etc.] § 51.

It shall be unlawful for any person or persons to haul, drag or otherwise remove any dead animal along or upon any street, avenue, alley or other public place within the city unless such dead animal is wholly covered so as to conceal the same from view; and it shall be unlawful for any person or persons to skin or otherwise mutilate any dead animal within said city, except at such place or places as may be from time to time designated for that purpose.

830. Dead Animals—Place and Manner of Burial—Penalty.] § 52.

No dead animals shall be buried within the corporate limits of the city, but shall be buried at least one-half mile outside the said corporate limits. Such animals when buried shall be buried at least three feet below the surface of the ground. This section shall apply to all persons, including any licensed scavenger, and whoever violates the terms of this section shall forfeit and pay a fine of not less than five dollars nor more than one hundred dollars for each offense; and for each and every day after the day of disposal that any such animal or animals shall remain disposed of contrary to this section, the offenders responsible therefor shall forfeit and pay not less than five dollars per day.

831. Manufactories, etc.—Removal of Ashes—Smoke, Cinders, etc., Not to Escape.] § 53.

The owners, lessees, tenants and managers of every blacksmith shop or other shop, forge, coal yard, foundry, manufactory and premises where any similar business is done, shall cause all ashes, cinders, rubbish, dirt and refuse to be removed to some proper place so that the same shall not accumulate at any of the above mentioned premises or in the appurtenances thereof, nor the same become filthy or offen-

sive; nor shall any smoke, cinders, dust, gas or offensive odor be allowed to escape from any such building, place or premises to the detriment or annoyance of any person not being therein or thereupon engaged.

832. Dead Body—Not to be Retained or Exposed.] § 54. No person shall retain, expose or allow to be retained or exposed the dead body of any human being to the peril or prejudice of the life or health of any person.

833. Animal or Thing Imperiling Health—Exposure Prohibited.] § 55. No person shall take, carry or expose, or place or induce any other person so to do, in or upon any street or public place any substance, animal or thing which shall imperil the safety or health of any person who is or may properly be in such street or place.

834. Sale of Diseased Live Animal—Penalty.] § 56. It shall not be lawful for any butcher or other person to sell or offer or expose for sale in said city any sick or diseased live animal of any kind whatever usually eaten for food and for the purpose or with the design that the same shall be used for food, knowing the same to be sick or diseased; and every person so offending shall forfeit and pay not less than five dollars nor more than one hundred dollars for each animal so sold, offered or exposed to sale.

835. Animal or Thing Occasioning Nuisance—Keeping Prohibited.] § 57. No person shall bring into said city or keep therein, for sale or otherwise, either for food or for any other purpose or purposes whatever, any animal, dead or alive, matter, substance or thing which shall be or which shall occasion a nuisance in said city, or which may or shall be dangerous or detrimental to health.

836. Building, etc.—Causing Nuisance, Prohibited.] § 58. No building, vehicle, structure, receptacle or thing used or to be used for any purpose whatever shall be made, used, kept, maintained or operated in the city if the use, keeping, maintaining or operating of such building, vehicle, structure, receptacle or thing shall be the occasion of any nuisance or shall be dangerous or detrimental to health.

837. Premises Offensive—Penalty.] § 59. Any store, house, factory, building or structure of any kind, or any grounds or premises, kept, permitted or suffered to remain for twenty-four hours in such condition as to be offensive to the neighborhood or dangerous or prejudicial to the health or safety of the occupants or other persons, is hereby declared a nuisance; and the owner, proprietor, lessee or agent of such store, house, factory, building or structure, or grounds or premises, shall be subject to a fine of not less than ten dollars nor more than one hundred dollars for each offense, and to a like fine for every twenty-four hours such nuisance shall continue after the first conviction.

838. Weeds, etc.—Nuisance—Penalty.] § 60. Cockle burrs, thistles, burdock, wild lettuce and other noxious weeds hereby are declared a

nuisance, and whoever shall suffer or permit such weed or plant to grow or be in or upon any premises in the City of Bloomington owned or controlled by him or her shall be guilty of maintaining a nuisance, and shall be subject to a fine of not less than five dollars nor more than twenty-five dollars for each offense, and a like fine for each week such person shall continue to keep, suffer, permit or maintain such nuisance after the first conviction.

839. Business Causing Nuisance—Prohibited.] § 61. No substance, matter or thing of any kind whatever which is dangerous or detrimental to health shall be permitted to exist in connection with any permitted business, or be used therein, or to exist in connection therewith, or to be used in any work or labor carried on or to be carried on or prosecuted in said city; and no nuisance shall be permitted to exist in connection with any such business or in connection with any such work or labor.

840. Ambulances—Right of Way—Obstruction of—Penalty.] § 62. The city ambulances, while engaged in going for or in carrying sick or wounded persons to or from the hospitals or other places, shall have the right of way in the streets of the city as against any person, carriage or incumbrance put, driven or being in said streets; and no person shall obstruct said ambulances while so engaged if there shall be an opportunity to get out of the way of the same, under a penalty not exceeding ten dollars for each offense.

841. Enforcing of this Article—Duty of Officer.] § 63. It shall be the duty of the Commissioner of Public Health and Safety and the City Marshal to cause this article to be enforced, and to make complaint against and cause to be prosecuted all persons violating the provisions of this article.

842. Abatement of Nuisances.] § 64. When judgment shall be rendered against any person for erecting, keeping or maintaining any nuisance, it shall be the duty of the court before whom such conviction is had to order the defendant in such suit forthwith to abate and remove such nuisance, and if the same is not done by such defendant within twenty-four hours, that the same be abated and removed by the City Marshal. Said order shall be entered upon the docket of the court and be made a part of the judgment in the cause.

843. Maintaining Nuisance After Conviction.] § 65. Any person having been found guilty of creating, keeping or maintaining any nuisance who shall neglect or fail to abate and remove such nuisance within twenty-four hours next after his conviction, shall for each twenty-four hours thereafter while such nuisance is continued be subject to a like penalty as that originally incurred for keeping, creating or maintaining the same.

844. Chief of Police to Abate—When.] § 66. When any nuisance is of such nature or character, and is so situated that the same can be

abated without the invasion or destruction of private property, and the further continuance thereof is likely to result in expense to the city or injury to any person, it shall be the duty of the Chief of Police to abate and remove the same summarily without waiting for the conviction of the author thereof.

In any case where a nuisance is to be abated by the Chief of Police or any officer, it shall be the duty of such Chief of Police or police officer to proceed with due care and without any unnecessary destruction of property; and he shall in all cases be authorized to employ such assistance and adopt such means as may be necessary to effect the entire abatement of the evil in question.

845. Liable for Costs of Abatement.] § 67. Every person creating, keeping or maintaining any nuisance shall be liable for all costs and expenses of abating the same when done by the city or under its authority; and in all cases where the City Marshal or other officer shall abate any such nuisance, he shall keep an account of all expenses attending such abatement, and shall forthwith bring suit for the same in some competent court in the name of the City of Bloomington against the person creating, keeping or maintaining the nuisance so abated.

846. Unwholesome Food—Penalty.] § 68. Whoever sells or exchanges, or has in his possession with intent to sell or exchange, or offers for sale or exchange, any unwholesome vegetable, fish, farm produce or other articles used for human food, or adulterated or unwholesome milk, or milk to which water or any foreign substance has been added, shall for such offense be punished by a fine of not less than ten dollars nor more than two hundred dollars.

847. Milk—Prohibited—Quality.] § 69. All milk produced from sick or diseased cows, and all milk obtained from cows fed on slops or waste, shall be deemed impure and unwholesome; and all milk to which water, ice, or any other substance has been added shall be deemed adulterated; and it shall be unlawful for any person to sell, offer or expose for sale any such unwholesome or adulterated milk or any milk which contains less than three per cent butter fat, or from which the cream, or any part thereof, has been removed, unless such be sold as "skimmed milk," and the character of the same be expressly and distinctly stated to the purchaser. Any person violating any of the provisions of this section shall be fined not less than ten dollars nor more than two hundred dollars for each offense.

848. Burning Leaves, etc.—When Prohibited—Penalty.] § 70. It shall be unlawful for any person within said city to burn leaves, weeds or rubbish of any kind between the hour of four o'clock p. m. of any day and sunrise of the next succeeding day. All such fires must be wholly extinguished at four o'clock p. m. of the day on which such leaves, weeds or rubbish are burned. Every person violating the provisions of this section shall be fined not less than five dollars nor more than fifty dollars for each offense.

849. Penalty.] § 71. Any person, firm or corporation who violates, disobeys, neglects, omits, resists or refuses to comply with any of the provisions of this article, or who refuses or neglects to obey any of the rules, orders or sanitary regulations of the Department of Health, or who resists any officer thereof, when no other penalty is provided, shall be subject to a fine of not less than five dollars nor more than two hundred dollars for each offense.

ARTICLE XXII.

HOUSEMOVERS.

Section.	Section.
850. Housemovers — License — Penalty.	855. Frame Buildings — When May be Moved — How Value of Determined.
851. License Fee—Bond—Condition.	856. Wooden Buildings—Moving in Fire Limits.
852. Moving Building — Permit Required.	857. Notice to Street Railway Company.
853. Permit — Application for — Power of Council.	858. Signals.
854. Permit—What it Shall Specify—Penalty.	859. Iron Stakes, etc.—Prohibited on Paved Streets.
	860. Trees Not to be Cut.
	861. Penalty.

850. Housemovers—License—Penalty.] § 1. No person, firm or corporation shall remove any building along the public streets, alleys or public places within said city unless he shall have obtained a license as a housemover, under a penalty of not less than ten dollars nor more than two hundred dollars for each offense.

851. License Fee—Bond—Condition.] § 2. Any person may obtain a license as a housemover upon the payment of a license fee of twenty-five dollars per annum and the execution to the city of a bond in the sum of one thousand dollars, with at least two sureties to be approved by the city council, conditioned among other things that said party applying for such license will pay any and all damages which may happen to any tree, pavement, street or sidewalk, or to any telegraph, telephone, electric light or electric street car pole or wire, within said city, whether such damage or injury shall be inflicted by said party or his agent, employees or workmen, and conditioned also that said party will save and indemnify and keep harmless the City of Bloomington from all liabilities, judgments, costs and expenses which may in any wise accrue against said city in consequence of the granting of such license or any permit, and will in all things comply with the ordinances of the city and all permits granted to him.

852. Moving Building—Permit Required.] § 3. No person shall remove any building or structure from one place to another along the public streets of the city without having first obtained from the council a permit therefor.

853. Permit—Application for—Power of Council.] § 4. Before any permit for the removal of any building shall be granted, the licensed housemover who proposes to do the work shall make application in writing to the council stating the building proposed to be removed, where it is located, the place to which it is proposed to remove it, the route to be taken, and the time probably required for such removal. Upon issuing such permit the council, or someone designated by it, may direct the route to be taken, the maximum time to be consumed in said removal, and any other requirements that may be deemed necessary.

The work of removal shall be done in such a manner as to meet the approval of the Commissioner of Streets and Public Improvements, and the council shall have power to regulate the erection, construction, alteration and repair of the building to be removed, and may prescribe such conditions as to the manner in which the same shall be done as may be deemed necessary to the public interest.

854. Permit—What it Shall Specify—Penalty.] § 5. Every permit for the removal of any building shall prescribe the conditions upon which said permit is granted, the route to be taken and the limit of time for the removal; and any person who shall fail, neglect or refuse to comply with the conditions of such permit shall be fined not less than five dollars nor more than one hundred dollars for each offense, and every day any such building shall remain on any street, alley or public place after the expiration of the time specified in any permit for the removal of the same, shall be a separate offense under this section.

855. Frame Buildings—When May be Moved—How Value of Determined.] § 6. No frame building in the city of Bloomington shall be removed unless such building is worth thirty-five per cent of the cost of a similar new building. The Board for the Inspection of Buildings shall determine as to the value of any such building, and their decision shall be subject to the approval of the city council: *Provided*, that this section shall not apply to any person removing a building upon his own premises, and not going upon the premises of any other person, or upon any street, alley or public place in making such removal.

856. Wooden Buildings—Moving in Fire Limits.] § 7. No wooden building within or without the fire limits shall be moved to any lot or part of a lot within the fire limits.

857. Notice to Street Railway Company.] § 8. No building shall be allowed to be removed along any street upon which a street railway is or may be operated without at least twenty-four hours notice to the company operating such railway; and during the time such building is being

removed the person or persons engaging in removing the same shall work night and day until such building is off such street.

858. Signals.] § 9. Every person removing any building, or who makes any excavation or piles any lumber or building material upon any of the public streets of the City of Bloomington, shall, in addition to the other requirements of the ordinances of said city, keep from early twilight until dawn a red light or lights hung out upon and about the same sufficient to give ample warning of such building, excavation or obstruction.

859. Iron Stakes, etc.—Prohibited on Paved Streets.] § 10. It shall be unlawful for any house mover or other person to drive iron or other stakes in any asphalt pavement within said city, and into any brick pavement unless the top course of the brick be first removed, under a penalty of not exceeding one hundred dollars for each offense, and a forfeiture of any license as housemover the person convicted may hold, and such forfeiture shall be entered up as a part of the penalty upon any such conviction.

860. Trees Not to be Cut.] § 11. No housemover shall be permitted to cut or injure any tree standing in or along any street, alley or other public place within the city without the consent of the Commissioner of Streets and Public Improvements, or the consent of the owner of the property on which said tree is located, under a penalty not exceeding fifty dollars.

861. Penalty.] § 12. Every person violating any of the provisions of this article, where no other penalty is provided, shall be fined not less than five dollars nor more than one hundred dollars for each offense.

ARTICLE XXIII.

ITINERANT MERCHANTS AND TRANSIENT VENDERS.

Section.

862. Itinerant Merchant, etc., Defined.

863. License Required.

864. License Fee.

862. Itinerant Merchant, etc., Defined.] § 1. Every person, firm or corporation temporarily engaged in mercantile business, or who goes from one city or village to another, stopping only for a limited time in each place, for the purpose of selling goods, wares or merchandise shall be held and deemed to be an itinerant merchant or transient vender of merchandise.

863. License Required.] § 2. It shall be unlawful for any itinerant merchant or transient vender of merchandise to carry on his business or occupation within the city without first having obtained a license therefor. Every person, firm or corporation violating the provisions of this section

shall be fined not less than five dollars nor more than fifty dollars for each offense. Every day or part of a day any such person, firm or corporation shall engage in such business without a license shall be deemed a separate offense.

864. License Fee.] § 3. The license fee for itinerant merchants and transient venders of merchandise shall be ten dollars for one day, thirty-five dollars for one week, and one hundred dollars for one month. The said license fee shall be paid to the Commissioner of Accounts and Finances.

ARTICLE XXIV.

LICENSES.

Section.	Section.
865. Licenses—By Whom Granted —Mayor's Discretion — When.	869. Clerk Shall Register Licenses.
866. License—How Issued.	870. Fees for Issuing Licenses.
867. License—Term of.	871. Transfer of License—How and When—Bond.
868. Bonds — When Required — By Whom Approved — Where Filed.	872. License Subject to Ordi- nances — Prosecution — Revocation of.

865. Licenses—By Whom Granted—Mayor's Discretion—When.]

§ 1. In all cases where it is not otherwise expressly provided, the Mayor shall hear and grant all applications for licenses upon the terms specified in any of the ordinances of the city; and all licenses shall be issued to such person or persons as shall comply in all respects with the provisions of the ordinances of the city, and as the Mayor, in his discretion, shall deem suitable and proper persons to be licensed: *Provided*, that the Mayor may, in his discretion, refuse to grant any application for a license until the same shall have been ordered by the city council, to whom he shall refer such application at the next regular meeting of the council.

866. License—How Issued.] § 2. Each license authorized and required by any ordinance of said city, and granted by the Mayor or council, shall be issued by the City Clerk upon the presentation to him of a receipt from the Commissioner of Accounts and Finances of the payment to said commissioner of the license fee or tax, and not otherwise. Each license shall be signed by the Mayor, attested by the clerk under the corporate seal, and countersigned by the Commissioner of Accounts and Finances, and no person shall be deemed to be licensed in any case until the actual payment of the license fee or tax, and the issuing of the license in due form, signed, attested, sealed and countersigned as herein required.

867. License—Term of.] § 3. All licenses shall be granted for a period of one year, unless otherwise provided by ordinance.

868. Bonds—When Required—By Whom Approved—Where Filed.] § 4. Unless otherwise provided by ordinance, the Mayor is hereby authorized, in his discretion, to approve of the security in all cases where the ordinances require a bond to be given to the city before a license shall issue, and said bond when so approved shall be filed in the office of the City Clerk.

869. Clerk Shall Register Licenses.] § 5. It shall be the duty of the clerk to register all licenses issued under the ordinances of said city, entering the name of the person licensed, the date of the license, for what purpose granted, date of expiration; if transferred, to whom, and the date of the transfer; and in case of licenses to sell liquor, the house or place where the same is to be sold must be designated, and a column must be set apart for remarks.

870. Fees for Issuing Licenses.] § 6. The fee of the clerk for issuing any license shall be fifty cents, and all of said fees shall be added to the amount charged for the license and paid over to the Commissioner of Accounts and Finances.

871. Transfer of License—How and When—Bond.] § 7. Any person to whom any license may have been issued under any ordinance of the city may, with the consent of the Mayor in writing, assign or transfer the same to any other person or persons, when not otherwise provided by ordinance, and the person or persons to whom such license is issued, or the assignee or assignees thereof, may, with the permission of the Mayor, surrender such license and have a new license issued for the unexpired term of the old license, authorizing the person or persons to whom such old license was assigned or transferred to carry on the same business or occupation at such place as may be named in such old license: *Provided*, that in all cases the party applying for such new license shall give a new bond with securities which shall conform, as near as may be, to the bond upon which such surrendered license was issued.

872. License Subject to Ordinances—Prosecution—Revocation of.] § 8. All licenses shall be subject to all ordinances and regulations which may be in force at the time of issuing thereof, and all ordinances which subsequently may be passed by the council; and if any person so licensed shall violate any of the provisions of any ordinance regulating or relating to the business for which he is licensed, he shall be proceeded against for any fine or penalty imposed thereby, and upon conviction the Mayor may, in his discretion, revoke his license.

ARTICLE XXV.

MISDEMEANORS.

Section.		Section.	
873.	Burglar's Tools—Possession of—Penalty.	892.	Children on Streets at Night —Notice to Parents Before Trial.
874.	Assault and Battery—Penalty.	893.	Profane or Obscene Language—Penalty.
875.	Disorderly Conduct — Disturbing the Peace—Penalty.	894.	Indecent Writing, etc.—Penalty.
876.	Animal—Disturbing Noises by—Penalty.	895.	Indecent Article—Penalty.
877.	Challenge to Fight—Offensive Language—Penalty.	896.	Indecent Exhibition of Animal—Penalty.
878.	Impersonating a City Officer —Penalty.	897.	Immoral Publications—Penalty.
879.	Unlawful Assemblage—Penalty.	898.	Sleeping in Public Place—Penalty.
880.	Aiding in Breach of the Peace — Assembling for Unlawful Purpose.	899.	Indecent Exposure—Penalty.
881.	Permitting Unlawful Assemblage on Premises—Penalty.	900.	Indecent Play—Penalty.
882.	Disturbing Religious Worship—Penalty.	901.	Dog Fight, etc.—Penalty.
883.	Disturbing Lawful Assemblage — Election Poll —Penalty.	902.	Cruelty to Animals—Penalty.
884.	Disturbing Funeral Procession—Penalty.	903.	Lottery Tickets and Chances —Penalty.
885.	Congregating in Stairways and on Street Corners—Penalty.	904.	Inducing to Bet—Penalty.
886.	Throwing Missiles—Penalty.	905.	Purchase—Chance Included —Penalty.
887.	Molesting Vehicles—Penalty.	906.	Keeping House of Ill-fame—Penalty.
888.	Intoxicated Person—Appearance in Public Prohibited —Penalty.	907.	Leasing Premises for Immoral Purposes—Penalty.
889.	Solicitation for Immoral Purposes—Penalty.	908.	Inmate of House of Ill-fame —Penalty.
890.	Children on Streets at Night —Penalty.	909.	Enticing to Enter House of Ill-fame—Penalty.
891.	Children on Streets at Night —Duty of Parents—Penalty.	910.	Evidence—General Reputation Admissible.
		911.	Deformed, etc., Person—Exposure of—Penalty.
		912.	Birds—Protection of—Penalty.
		913.	Excavation in Streets—Protection of—Penalty.
		914.	Contractor — Excavation — Protection—Penalty.
		915.	Spiked Railings — Prohibited—Penalty.

Section.		Section.	
916.	Sidewalks—Casting Refuse Fruit on—Penalty.	933.	Posting Bills on Fence or Building—Penalty.
917.	Throwing Brittleware Onto Street—Penalty.	934.	Injury to Street Lamp, Tele- graph, Telephone and Elec- tric Light Apparatus, etc. —Penalty.
918.	Spitting — Prohibited on Sidewalks, etc.—Penalty.	935.	Corner Stone — Tampering With—Penalty.
919.	Hay and Straw—Not to be Stored Loose in Fire Lim- its—Penalty.	936.	Service Lid or Cup—Injury to—Penalty.
920.	Opium Smoking—Place for Prohibited—Penalty.	937.	Meters—Tampering With— Penalty.
921.	Cleansing Garments, etc., in Street—Penalty.	938.	Sod—Digging of—Penalty.
922.	Getting on Cars in Motion— Penalty.	939.	Grass Plot—Trespassing Up- on—Penalty.
923.	Turning Hose on Persons or Property—Penalty.	940.	Sunday—Places of Amuse- ment Closed—Disturbing the Peace by Amusement on.
924.	Distribution of Hand Bills on Streets—Penalty.	941.	Sunday—Business and La- bor Prohibited on—Pen- alty—Defined.
925.	Street Obstruction — Exhi- bition, etc.—Penalty.	942.	Vagrancy—Penalty.
926.	Street Lounging—Penalty.	943.	Causing Pauper to be Charge on City—Penalty.
927.	Dangerous Animal in Street —Penalty.	944.	Streets, etc.—Rubbish, etc., not to be Scattered in— Penalty.
928.	Air Gun, etc.—Discharge of —Penalty.	945.	Occupation of Streets, etc., Without Authority—Pen- alty.
929.	Scaffolds Used in Buildings —Security of—Penalty.	946.	Penalty.
930.	Injury to Property—Penalty.		
931.	Trespass—Injury to Tree— Penalty.		
932.	Casting of Missiles—Injur- ing or Defacing Property —Penalty.		

873. **Burglar's Tools—Possession of—Penalty.]** § 1. It shall be unlawful for any person to have in his possession any nippers of the description known as burglar's nippers, or any pick-lock, skeleton key, key to be used with a bit or bits, jimmy or any other burglar's instrument or tool of whatsoever kind or description, unless it be shown that such possession is innocent or for a lawful purpose, under a penalty of not less than twenty-five dollars and not more than two hundred dollars.

874. **Assault and Battery—Penalty.]** § 2. Whoever shall commit an assault or an assault and battery upon the person of another, or shall be guilty of an affray within the limits of the City of Bloomington, shall be fined not less than three dollars nor more than one hundred dollars.

875. Disorderly Conduct—Disturbing the Peace—Penalty.] § 3. Whoever shall disturb the peace of the city, or the quiet of any private family or person therein, by loud or unusual noises, or by blowing of horns or other instruments, or by the unnecessary blowing of steam whistles, or by the beating of drums, kettles or other sounding vessels or instruments, or by the ringing of bells or crying of goods, or by loud or boisterous laughing or singing, or by creating false alarms, as by crying “fire” or “police,” or by violent or tumultuous carriage, or by shouting, cursing, quarreling, challenging to fight, or fighting, or by any disorderly conduct, shall upon conviction be fined not less than three dollars nor more than one hundred dollars for each offense.

876. Animal—Disturbing Noises by—Penalty.] § 4. No person shall keep or harbor any dog, cow, calf, hog or other animal which by barking, howling, bawling or by other noises shall disturb the peace and quiet of any family, individual or neighborhood; and every person violating this section shall forfeit and pay not less than one dollar nor more than twenty-five dollars for each offense.

877. Challenge to Fight—Offensive Language—Penalty.] § 5. Any person who shall challenge another to fight, or shall threaten or traduce another, or shall use any profane, obscene or offensive language, or shall indulge in any conduct toward another pretending to provoke a disturbance or breach of the peace, shall be fined not less than three dollars nor more than fifty dollars.

878. Impersonating a City Officer—Penalty.] § 6. Whoever shall falsely represent himself to be an officer of this city, or without being duly authorized by the city shall exercise or attempt to exercise any of the duties, functions or powers of a city officer, shall be fined not less than five dollars nor more than one hundred dollars for each offense.

879. Unlawful Assemblage—Penalty.] § 7. Any two or more persons who shall assemble in said city for any unlawful purpose, or who, being assembled, shall act in concert to do an unlawful act with force and violence against the property of the city, or the person or property of another, or against the peace or to the terror of the citizens or other persons in said city, or who shall make any movement or preparation therefor, shall be severally subject to a fine of not less than three dollars nor more than fifty dollars, and to a further fine of not less than five dollars nor more than fifty dollars upon refusal to disperse after being requested to do so by any police patrolman or other conservator of the peace.

880. Aiding in Breach of the Peace—Assembling for Unlawful Purpose.] § 8. Any person who shall make, aid, countenance or assist in making any improper noise, riot, disturbance, breach of the peace or diversion tending to a breach of the peace, and all persons who shall collect in bodies or crowds for unlawful purposes, or for any purpose to the annoyance or disturbance of citizens or travelers, shall be severally subject to a fine of not less than three dollars nor more than one hundred dollars.

881. Permitting Unlawful Assemblage On Premises—Penalty.] § 9.

Whoever shall knowingly suffer or permit any assemblage for the purpose of committing any unlawful act or breach of the peace, or any riotous, offensive or disorderly conduct, in or upon premises owned or occupied by him, or under his control, within said city, shall on conviction be fined not less than five dollars nor more than fifty dollars.

882. Disturbing Religious Worship—Penalty.] § 10. Whoever shall within the limits of the city disquiet or disturb any congregation or assembly met for any lawful purpose, religious or otherwise, by making a noise, or by any rude, indecent behavior, or profane discourse or disorderly conduct, within their place of meeting, or so near the same as to disturb the order or solemnity of the meeting, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than three dollars nor more than one hundred dollars.

883. Disturbing Lawful Assemblage—Election Poll—Penalty.] § 11. Whoever shall in said city disturb or disquiet any lawful assemblage or association of people, by any rude or indecent behavior, or by any disorderly conduct, or who shall create any disturbance or be guilty of any disorderly conduct, at any election poll, shall on conviction be fined not less than five dollars nor more than one hundred dollars for each offense.

884. Disturbing Funeral Procession—Penalty.] § 12. Whoever shall interrupt or disturb any funeral assemblage, or shall break into or drive any horse or conveyance through any funeral procession, shall be fined not less than three dollars nor more than fifty dollars.

885. Congregating in Stairways and on Street Corners—Penalty.] § 13. It shall be unlawful for any person or persons in said city to loiter or congregate about or upon any stairway, doorway, window, or in front of any business or dwelling house, theater, lecture room, church, street corner or elsewhere, and by so doing obstruct or interfere with the free passage of persons entering or occupying such building or premises, or by language, conversation or conduct annoy, insult or disturb persons passing along the streets or alleys, or occupying, residing or doing business in any of said houses or places. Every person violating this section shall be deemed guilty of a misdemeanor and on conviction shall forfeit and pay not less than three dollars nor more than one hundred dollars for each offense; and it shall be the duty of every policeman to arrest and prosecute all persons offending under this section.

886. Throwing Missiles—Penalty.] § 14. No person shall purposely or heedlessly cast or throw any stone, brick bat, clod, snowball or other missile from or into any public place, or at any house or person within the city, under a penalty in each case of not less than three dollars nor exceeding twenty-five dollars.

887. Molesting Vehicles—Penalty.] § 15. No person shall climb upon or into any automobile, wagon, carriage, sleigh or other vehicle while

the same may be in motion, or attach his sled or cart to any such vehicle, without the consent of the driver thereof, under a penalty of not less than one dollar nor exceeding five dollars in each case.

888. Intoxicated Person—Appearance in Public Prohibited—Penalty.] § 16. It shall be unlawful for any person who is in a state of intoxication or drunkenness to be or appear under any circumstances in any street or public place, or in any place or premises open to public view, within the City of Bloomington; and it shall be unlawful for any such person to be or appear in any private house or place to the annoyance of any person. Any person violating this section shall forfeit and pay a fine to the City of Bloomington of not less than three dollars nor more than twenty-five dollars.

889. Solicitation for Immoral Purposes—Penalty.] § 17. It shall be unlawful for any woman to approach or solicit any male, or offer herself to any male, for immoral purposes, upon any public street or alley or in any other public place in the City of Bloomington, under a penalty of not less than three dollars nor more than twenty-five dollars for each offense.

890. Children on Streets at Night—Penalty.] § 18. It shall be unlawful for any person under the age of sixteen years to be or remain in or upon any of the streets, alleys or other public places in the City of Bloomington after the hour of nine o'clock p. m. from the first day of September until the first day of May of the next succeeding year; and after the hour of ten o'clock p. m. from the first day of May to the first day of September of each year, unless such person is accompanied by a parent, guardian or some other person having the legal custody, care and direction of such person under sixteen years of age; or unless such person is in the performance of an errand or duty directed to be done or performed by such parent, guardian or other person having the legal custody, care and direction of such person; or unless the employment of such person under sixteen years of age makes it necessary for him or her to be upon said streets, alleys or other public places at night time after such specified hours. Any such person under the age of sixteen years violating any of the provisions of this section shall be fined in a sum not less than one dollar nor more than ten dollars for each offense.

891. Children on Streets at Night—Duty of Parents—Penalty.] § 19. It shall be unlawful for any parent, guardian or any person having the legal custody, care or direction of any child under sixteen years of age, to allow or permit any such child to go or be in or upon any of the streets, alleys or other public places in said city within the time prohibited in the last preceding section, unless the same shall be necessary. Any such parent, guardian or other person having the legal custody, care or direction of such child, who shall violate any of the provisions of this section shall be fined not less than three dollars nor more than twenty-five dollars for each offense.

892. Children on Streets at Night—Notice to Parents Before Trial.] § 20. When any person under the age of sixteen years is apprehended for

the violation of any of the foregoing provisions and requirements, the parent, guardian or person having the legal custody, care or direction of such violator shall be notified of such apprehension and given an opportunity before a conviction is had to take charge of such person so apprehended and become responsible for the observance of the foregoing provisions by such person.

893. Profane or Obscene Language—Penalty.] § 21. Whoever shall use any profane or obscene language in any place in said city, loud enough to be overheard by other persons, or shall be guilty of any disorderly conduct or behavior, shall be subject in either case to a fine of not less than three dollars nor more than fifty dollars.

894. Indecent Writing, etc.—Penalty.] § 22. Whoever shall in any public place or place open to public view within said city, write, draw, cut, make or exhibit any lewd or indecent word, sentence, design or figure, shall be subject to a fine of not less than five dollars nor more than fifty dollars.

895. Indecent Article—Penalty.] § 23. Whoever shall keep or have in his possession within the said city any of the obscene or indecent articles or things mentioned in the preceding section, with or without intent to sell or dispose of the same, shall be fined not less than five dollars nor more than fifty dollars.

896. Indecent Exhibition of Animal—Penalty.] § 24. No person in said city shall indecently exhibit any horse, jack or other male animal, or let any horse or jack to any mare or jenny, or bull to any cow, unless in some enclosed place and entirely out of public view; and any person violating this section shall forfeit and pay not less than ten dollars nor more than one hundred dollars.

897. Immoral Publications—Penalty.] § 25. Any person who shall bring or cause to be brought into said city for the purpose of sale or exhibition, or shall keep, sell, offer, or expose for sale, any obscene, immoral or indecent publication, book, pamphlet, paper, print, picture, illustration, model, cast, instrument or article of indecent or immoral use, or shall advertise the same for sale or exhibition, shall be fined not less than ten dollars nor more than two hundred dollars for each offense.

898. Sleeping in Public Place—Penalty.] § 26. Whoever shall be found sleeping in or upon any street, avenue, alley or other public place in said city, or in or upon any private lot or premises without the consent of the owner or occupant of such lot or premises, shall be fined not less than three dollars nor more than twenty-five dollars for each offense.

899. Indecent Exposure—Penalty.] § 27. Whoever shall make any indecent exposure of his or her person, or shall appear in any public place, or in any place exposed to public view, in a dress not belonging to his or her sex, or in an indecent or lewd dress, or in a state of nudity, or shall be guilty of any other immoral, indecent or lewd act, shall be fined not less than five dollars nor more than fifty dollars for each offense.

Repealed

900. Indecent Play—Penalty.] § 28. Whoever shall exhibit or perform, or assist in exhibiting or performing in said city any obscene, indecent or lewd play or misrepresentation, or shall knowingly permit the same to be exhibited or performed in any building or hall owned or controlled by him, shall in each case be subject to a fine of not less than ten dollars nor more than two hundred dollars.

901. Dog Fight, etc.—Penalty.] § 29. Any person who shall within said city keep or use, or be in any way connected with the management, either as an employee or in any other capacity, of any place kept or used for the fighting or baiting of any dog, cock or other animal, or who shall permit such place to be kept or used on premises owned, rented or controlled by him, or who shall frequent or be found therein for the purpose of witnessing such fighting or baiting, shall be fined not less than ten dollars nor more than one hundred dollars.

902. Cruelty to Animals—Penalty.] § 30. Whoever shall be guilty of cruelty to any animal in any of the ways mentioned in this section shall be fined not less than three dollars nor more than one hundred dollars for each offense.

First—By overloading, overdriving, overworking, cruelly beating, torturing, tormenting, mutilating or cruelly killing any animal, or causing or knowingly allowing the same to be done.

Second—By cruelly working any old, maimed, infirm, sick or disabled animal, or causing or knowingly allowing the same to be done.

Third—By failing to provide any animal in his charge or custody as owner or otherwise with proper and necessary food, drink or shelter.

Fourth—By abandoning or turning out to die any old, maimed, infirm, sick or disabled animal.

Fifth—By carrying or driving or causing to be carried or driven or kept, any animal in an unnecessarily cruel manner.

903. Lottery Tickets and Chances—Penalty.] § 31. It shall be unlawful for any person in said city to keep an office, room or place for the sale or other disposition of lottery tickets; nor shall it be lawful for any person in said city to vend, sell or otherwise dispose of any lottery ticket or tickets; nor shall it be lawful for any person in said city to sell or dispose of in any manner whatever any tickets, figures, numbers or characters for any "prize gift," "present," "gift enterprise," "gift distribution," "chance" or for anything of the like name or nature, where money or other property is directly or indirectly pledged, paid or to be pledged or paid for a share or a chance, or for any participation in the same, or where the numbers, figures, characters, gifts, prizes, presents or donations are to be drawn, disposed of or received by any person in any manner whatever; and any person convicted of a violation of this section shall forfeit and pay not less than five dollars nor more than one hundred dollars for each offense.

904. Inducing to Bet—Penalty.] § 32. It shall be unlawful for any person in said city to perform or play any tricks or slight of hand, or anything of like nature, with cards, dice, balls, thimbles, figures, numbers, characters or with any instrument, apparatus or thing, where persons are induced to bet, loan, deposit or stake money or other property upon the result of such tricks, or the turning or placing of any such instrument or apparatus, or of any figure, letter, number or character attached to or played upon any such instrument or apparatus or by any person; and any person convicted under this section shall forfeit and pay not less than five dollars nor more than one hundred dollars for each offense.

905. Purchase—Chance Included—Penalty.] § 33. Each and every sale or purchase wherein any part of the articles or things received or to be received, either as to quantity or value, shall in any manner depend upon any chance or hazard, whether by means of checks, cards, envelopes, numbers, dice, or by any means whatever, is hereby declared to be gaming, within the meaning of the provisions hereof, and as such to be unlawful. Any person so selling or disposing of any article or thing of value within said city shall be liable to a fine of not less than five dollars nor more than one hundred dollars for each offense.

906. Keeping House of Ill-fame—Penalty.] § 34. Whoever within the City of Bloomington shall keep or maintain directly or indirectly, any bawdy or disorderly house, house of ill-fame, or of assignation, or place for the practice of fornication or adultery, shall be fined not less than twenty-five dollars for each offense, and be subject to a like further fine for each day after the first conviction that such house shall be continued or maintained.

907. Leasing Premises for Immoral Purposes—Penalty.] § 35. Whoever within said city shall lease, let or permit any building or premises owned by him or under his control to be used in whole or in part as a house of ill-fame, or house of assignation, or place for the practice of fornication or adultery, or whoever shall lease any building or premises for a lawful purpose that may afterwards with his knowledge be converted in whole or in part into the immoral uses and purposes above set forth in this section, and who shall not cause the same to be immediately vacated upon gaining knowledge thereof, shall on conviction be subject to a fine of not less than twenty-five dollars nor more than two hundred dollars for each offense, and to a further like fine for each day after the first conviction that he shall continue to violate this section.

908. Inmate of House of Ill-fame—Penalty.] § 36. Whoever shall be an inmate or occupant of, or shall frequent or be found in any bawdy house, house of ill-fame, or of assignation, or place used for the practice of fornication or adultery, within said city, shall be fined not more than one hundred dollars for each offense.

909. Enticing to Enter House of Ill-fame—Penalty.] § 37. Whoever shall within said city entice, influence or persuade any person to enter

or frequent any bawdy house, house of ill-fame or of assignation, or place used for the practice of fornication or adultery, or whoever shall induce or persuade any minor to enter or frequent, or shall allow or permit any minor to enter or remain in any such house or place, shall be subject to a fine of not more than one hundred dollars for each offense.

910. Evidence—General Reputation Admissible.] § 38. In any action or suit arising under either of the last four preceding sections of this article, evidence of the general reputation of such place, of the inmates thereof and of those resorting thereto, shall be admissible for the purpose of proving said place to be a house of ill-fame, or of assignation, or that it is used for the purpose of fornication or adultery, and such evidence of the general reputation thereof shall be sufficient to make out a *prima facie* case.

911. Deformed, etc., Person—Exposure of—Penalty.] § 39. Any person who is diseased, maimed, mutilated or in any way deformed, so as to be an unsightly or disgusting object, or an improper person to be allowed in or upon the streets, highways, thoroughfares or public places in this city, shall not therein or thereon expose himself to public view for gain, under a penalty of one dollar for each offense.

912. Birds—Protection of—Penalty.] § 40. Every person who shall kill, or attempt to kill or wound, by the use of firearms, bow and arrow, pelting with stones, slung shots, or otherwise, any birds or squirrels within the city limits, or shoot an arrow or throw a stone or club or other missile at any bird or squirrel within any private grounds or public parks, squares or grounds, or enter upon any private enclosure, or public ground belonging to the city, for the purpose of doing any act prohibited in this section, shall forfeit and pay not less than one dollar nor more than ten dollars for each offense.

913. Excavation in Streets—Protection of—Penalty.] § 41. Every person in said city who shall dig, make or cause to be dug or made any hole, pit, ditch, vault or other excavation in or upon any street, lane, avenue, alley, sidewalk or other public place, or who shall dig, make or cause to be dug or made any excavation upon any lot adjoining or bounded by any street, lane, avenue, alley, public place or sidewalk, and who shall not during the night cause the same to be fenced in with a substantial fence at least three feet high, the boards or rails of which shall not be more than one foot apart, and who shall fail to place sufficient red lights in conspicuous places in front of said fence, shall forfeit and pay not less than five dollars nor more than one hundred dollars for each offense.

914. Contractor — Excavation — Protection — Penalty.] § 42. Any city officer or contractor for public work in said city who shall make any excavation in any street, lane, avenue, alley, sidewalk or other public place, and shall not cause poles, timbers or planks raised at least three feet above the ground to be so placed as to prevent persons, animals or ve-

hicles from falling into the same, shall be deemed guilty of a misdemeanor, and upon conviction shall forfeit and pay not less than five dollars nor more than one hundred dollars for each offense.

915. Spiked Railings—Prohibited—Penalty.] § 43. No person being the owner, lessee, agent or occupant of any building in this city shall erect or maintain, or permit to be erected or maintained, on or about the stairway in or the entrance to such building, or on or about its exterior building line, or upon any portion of the sidewalk adjacent to such building, any railing, fence or protection of any kind upon which said railing, fence, guard or other protection there shall be affixed or placed, or in any manner attached, any spike, nail or other pointed instrument of any kind or description, under a penalty of not less than ten dollars for each offense; and each and every day any such person shall fail or neglect to remove from such railing, fence or other protection any such spike, nail or other pointed instrument, after the first conviction therefor, shall constitute a new, separate and distinct offense.

916. Sidewalks—Casting Refuse Fruit on—Penalty.] § 44. No person shall throw, cast, lay or place on any sidewalk in the City of Bloomington the rind or peel of any orange, banana, apple or other fruit, under a penalty of not less than two dollars for each offense.

917. Throwing Brittleware Onto Street—Penalty.] § 45. It is hereby declared to be a misdemeanor for any person, firm or corporation or their agents or servants, to throw or place in any manner any broken glass, bottles, wires, waste paper or other brittle ware or rubbish of any kind whatever on any of the streets, alleys, sidewalks or other public places within the corporate limits of the City of Bloomington.

Any person, firm or corporation violating any of the terms or provisions of this section, shall be fined not less than three dollars nor more than fifty dollars for each offense.

918. Spitting—Prohibited on Sidewalks, etc.—Penalty.] § 46. No person within the corporate limits of the City of Bloomington shall spit or expectorate upon the floor of, nor upon or against the floor of any public building or any approach or entrance thereto; nor upon, against or in any car, cab, carriage or other vehicle when in use for the carrying of passengers; nor upon or against any public walk or public way or private walk or private way for foot passengers; nor upon or against the floor or any other part of any church, school house, passenger depot, public hall, court house or court room; nor upon or against the floor or other part of any store, shop, office, dwelling, tenement or other private room or dwelling or building, against the consent of the owner, agent or occupant hereof; nor in or about the doorway, stairway or approach to any public or private place.

Any person found guilty of violating any of the terms of this section shall be fined not less than one dollar and not more than two dollars for

the first offense, and not less than three dollars nor more than two hundred dollars for each succeeding offense.

1919. Hay and Straw—Not to be Stored Loose in Fire Limits—Penalty.] § 47. It shall be unlawful for any person, firm or corporation to store, house or stack any hay or straw in an unbaled or loose condition within the fire limits of the City of Bloomington. Any violation of this section shall subject the offender to a fine of not less than one dollar and not more than one hundred dollars for each offense. Every day any such hay or straw shall so remain after a conviction shall constitute a separate offense.

1920. Opium Smoking—Place for Prohibited—Penalty.] § 48. No person within the corporate limits of the city shall keep or maintain, or frequent or become an inmate of, or in any way contribute to the support of any place, house or room where opium is smoked, or where persons assemble for the purpose of smoking opium or inhaling the fumes thereof, under a penalty of not less than five dollars nor more than fifty dollars for each offense.

1921. Cleansing Garments, etc., in Street—Penalty.] § 49. No dyer or scourer or any other person shall wash, rinse or cleanse or cause or procure to be washed, rinsed or cleansed, any cloth, yarn or garment in any street or public place in the City of Bloomington, under a penalty of five dollars for each offense.

1922. Getting on Cars in Motion—Penalty.] § 50. It shall be unlawful for any person to play upon or about any railroad track, depot, locomotive or car within said city; or to climb upon or to jump from any car or train of cars, or from one car to another; or to climb or jump upon any street car, while the same may be in motion; and any person violating any of the provisions of this section shall be fined not less than two dollars nor more than ten dollars for each offense.

1923. Turning Hose on Persons or Property—Penalty.] § 51. Whoever shall wilfully turn a stream of water from any hose or hydrant upon any person, or upon any private premises, not being the occupant thereof, shall be liable to a fine of not less than three dollars nor more than twenty dollars.

1924. Distribution of Hand Bills on Streets—Penalty.] § 52. No person shall distribute, cast, throw or place in or upon or along any of the streets, alleys or public places of the City of Bloomington any hand bills, pamphlets, circulars, books or advertisements for the purpose or with the intent of advertising or making known any business, occupation, profession, medical treatment, medicine or anything whatsoever, under a penalty of not less than five dollars and not more than fifteen dollars for each offense.

1925. Street Obstruction—Exhibition, etc.—Penalty.] § 53. No person shall engage in any game, sport or amusement, or exhibit any machine, show or animal, or indulge in any acrobatic feats, or do anything

else in the streets or upon the sidewalks, which shall have a tendency to frighten horses, or which shall collect any crowd of persons so as to interfere with the passage of teams, vehicles or persons along the streets or sidewalks; and any person violating this section shall be fined not less than three dollars nor more than twenty-five dollars for each offense.

926. Street Lounging—Penalty.] § 54. No person shall obstruct any street, sidewalk or other public place of the city by lounging in or about the same, and any person so offending shall be subject to a penalty of not less than five dollars for each offense.

927. Dangerous Animal in Street—Penalty.] § 55. No person shall permit any bear or other dangerous animal to run at large, or shall lead any such animal with a chain, rope or other appliance, whether such animal be muzzled or unmuzzled, in any street, avenue, lane, highway or public place within the corporate limits of this city, under a penalty of not less than ten dollars for each offense.

928. Air Gun, etc.—Discharge of—Penalty.] § 56. No person shall fire, discharge, set off or use within the limits of the City of Bloomington any air gun, "bean shooter," "nigger killer," or any other instrument or machine from which a missile is discharged or hurled, under a penalty of not less than five dollars for each offense.

929. Scaffolds Used in Buildings—Security of—Penalty.] § 57. All scaffolds erected in this city for use in the erection of buildings shall be well and safely supported, and shall be of sufficient width and properly secured so as to insure the safety of persons working thereon or passing under or by the same, and to prevent the falling therefrom of any materials that may be used, placed or deposited thereon; any scaffold which may be otherwise erected shall be deemed a nuisance; and any person who shall erect or use, or cause to be erected or used, any scaffold contrary to the provisions hereof shall be subject to a fine of not less than five dollars and not exceeding one hundred dollars and to a like fine for every day the same shall remain after notice to remove.

930. Injury to Property—Penalty.] § 58. Whoever shall wilfully maliciously or negligently break, deface, injure or destroy any property of the state, county or city, or any private property, shall be subject to a fine of not less than five dollars nor exceeding one hundred dollars.

931. Trespass—Injury to Tree—Penalty.] § 59. Any person who shall within said city cut, injure, remove or destroy any fruit, ornamental or shade tree, or the boxing around the same, or any fence, railing, gate, post or sign, upon any public ground, sidewalk or private premises; or who shall enter any private premises against the consent of the owner or occupant thereof; or shall trespass upon any private premises or public grounds, or injure, take away or destroy any tree, shrub, fruit, flower, plant, vegetable or other thing which may be therein for ornament or

utility, shall be fined not less than five dollars nor more than twenty-five dollars for each offense.

932. Casting of Missiles—Injuring of Defacing Property—Penalty.] § 60. No person shall purposely or heedlessly cast or throw any stone, brick or other missile from or into any street or other public place, or at, against or into any building, shade tree, or other property, or shall climb upon or walk upon the top or capping of any fence or railing, or climb into any shade or ornamental tree upon any sidewalk or elsewhere without the consent of the owner or occupant thereof, or shall in any wise injure or deface any building, fence, gate or shade tree, or shall meddle with or injure any well, cistern, hydrant or pump, under a penalty in each case of not less than two dollars nor more than ten dollars.

933. Posting Bills on Fence or Building—Penalty.] § 61. Whoever shall, without the consent of the owner or occupant of the premises, post up, stick or place any hand bill, show bill, placard or notice upon any building, wall, fence, telegraph, telephone or electric light pole, or tree box, or shall mark, scratch, cut or otherwise deface any part of any building, fence or tree box, shall in either case be subject to a penalty of not less than three dollars nor more than ten dollars.

934. Injury to Street Lamp, Telegraph, Telephone and Electric Light Apparatus, etc.—Penalty.] § 62. Any person who shall wilfully, maliciously or negligently break, deface, injure or destroy any lamp, telegraph, telephone, electric light or electric street car post, or other posts, or any telegraph, telephone, electric light or electric street car wire, globes, insulator or other appliance or fixture connected therewith, within the city, shall be subject to a penalty of not less than five dollars nor more than fifty dollars for each offense, and shall also be liable for the costs and expenses of repairing the injuries committed.

935. Corner Stone—Tampering With—Penalty.] § 63. Any person who shall wilfully or heedlessly change, remove or destroy any stone, stake or post set or placed to mark the corner of any lot or parcel of ground, or street or alley, or to show the grade of any street, alley or sidewalk of the city, shall be fined not less than five dollars nor more than fifty dollars for each offense.

936. Service Lid or Cup—Injury to—Penalty.] § 64. Whoever shall wilfully or maliciously break, deface, injure or carry away any cup or service lid placed upon any of the service boxes of any gaslight company, or by the water department within the city, shall forfeit and pay a fine of not less than three dollars nor more than ten dollars.

937. Meters—Tampering With—Penalty.] § 65. Whoever shall unlawfully tamper with, alter or change any public or private gas pipe, water pipe, gas meter, water meter or other meter, or the register thereof,

shall be subject to a penalty of not less than ten dollars nor more than one hundred dollars for each offense.

938. Sod—Digging of—Penalty.] § 66. No person shall dig, cut or remove any sod or earth from any street or other public place within the city without a permit from the commissioner in charge of such property, or from any premises not his own without the consent of the owner or person in control thereof, under a penalty of not less than five dollars nor more than fifty dollars for each offense.

939. Grass Plot—Trespassing Upon—Penalty.] § 67. Whoever shall wilfully, negligently or heedlessly walk upon or across or ride or drive any animal or vehicle upon or across any lawn, grass plot or flower bed in or upon any of the streets, avenues, parks or public places of the city; or who shall walk upon or across, or ride or drive any animal or vehicle upon or across any private lawn, grass plot or flower bed without the consent of the owner or occupant thereof, shall be subject to a fine of not less than five dollars nor more than fifty dollars.

940. Sunday—Places of Amusement Closed—Disturbing the Peace by Amusement on.] § 68. It shall be unlawful to keep open on Sunday any billiard room, ball or pin alley, base ball grounds, theatre, moving picture house, dance hall or other place of amusement within said city, or to suffer or permit persons to assemble therein for the purpose of play or amusement. It shall be unlawful for any person to disturb the peace and good order of society by any amusement or diversion on Sunday.

Any person violating the provisions of this section shall be fined not less than ten dollars nor more than fifty dollars.

941. Sunday—Business and Labor Prohibited on—Penalty—Defined.] § 69. It shall be unlawful for any person to keep open, or permit to be kept open, his place of business on Sunday, or to pursue his daily labor or occupation on Sunday within said city: *Provided*, that this section shall not be applicable in cases of necessity or charity, nor to hotels, eating houses, drug stores, tobacco stores, confectionery stores, livery stables, garages, telephone exchanges, telegraph offices and street cars.

Any person violating the provisions of this section shall be subject to a fine of not less than ten dollars nor more than fifty dollars.

The word Sunday as used in this and the preceding section shall be construed to include the period between twelve o'clock midnight on Saturday night and twelve o'clock midnight on the following night.

942. Vagrancy—Penalty.] § 70. All idle persons who, not having visible means of support, live without lawful employment; all persons habitually idly loitering about or wandering abroad, and visiting or staying about groceries, drinking saloons, houses of bad repute, gambling houses or railroad depots, or lodging in outhouses, market places, sheds, barns or in the open air, and not giving a good account of themselves; all

persons wandering abroad and begging, or who go about from door to door, or place themselves in the streets or other public places to beg or receive alms, shall be deemed vagrants, and upon conviction shall be fined in a sum not less than five dollars nor exceeding one hundred dollars.

943. Causing Pauper to be Charge on City—Penalty.] § 71. Whoever shall knowingly send, bring or leave any pauper in the City of Bloomington, not belonging thereto, or shall aid or abet the same, or shall supply with means or assist any such pauper or person likely to become a pauper to come into or remain in the city, in order that he or she may become a charge upon the public, shall be subject to a fine of not less than ten dollars or more than one hundred dollars in each case.

944. Streets, etc.—Rubbish, etc., not to be Scattered in—Penalty.] § 72. It shall be unlawful for any person to scatter or place any shavings, paper, straw, manure, garbage, ashes or rubbish of any kind upon any street, sidewalk, lawn, alley or other public place in the City of Bloomington. Any person violating any of the provisions of this section shall be fined not less than three dollars nor more than twenty-five dollars for each offense.

945. Occupation of Streets, etc., Without Authority—Penalty.] § 73. It shall be unlawful for any person, firm or corporation to make use of any street or alley in the City of Bloomington for the purpose of erecting or maintaining any post or pole, or for stringing any telephone or electric wire therein, or for stringing, laying or maintaining any wire, pipe or main for the conveyance of electricity, gas, water or steam for commercial purposes, or for laying or maintaining any railroad track or street railway track, or for the running of any car or street car therein or thereupon, without the consent or license of the City of Bloomington according to law, when by law such consent or license is required. When any person, firm or corporation has had such consent or license it shall be unlawful for any such person, firm or corporation to make use of any street or alley in said city for any of the purposes aforesaid after such consent or license has expired by limitation, operation of law or otherwise. Every person, firm or corporation using any street or alley in said city in violation hereof shall forfeit and pay a fine of not less than fifty dollars nor more than two hundred dollars for each offense.

946. Penalty.] § 74. Every violation of any section or provision of this article for which no penalty is provided herein, shall be punished by a fine of not less than five dollars nor more than fifty dollars.

ARTICLE XXVI.

OFFICERS.

Section.	Section.
947. Appointees of Mayor and Commissioners — Term of Office.	950. Salaries—Fixed Annually.
948. Official Bonds—Conditions.	951. Reports of Officers to Mayor and Council.
949. Bond — Acknowledgment — Approval.	952. Offices—Time Shall be Open.

947. Appointees of Mayor and Commissioners—Term of Office.]

§ 1. All officers appointed by the Mayor or any of the Commissioners, whose terms of office are not otherwise expressly provided for by law or ordinance, shall hold their respective offices for the term of one year from the first day of May immediately preceding their appointment and until their successors are appointed and have qualified.

948. Official Bonds—Conditions.] § 2. The bonds of all officers shall be executed with two or more sureties, conditioned for the faithful performance of the duties of their respective offices as prescribed by the laws of the State of Illinois, the ordinances of the City of Bloomington, and the rules and regulations pertaining to their respective offices.

949. Bond—Acknowledgment—Approval.] § 3. The execution of all bonds shall be acknowledged by the officer or person giving such bond and his sureties before some person authorized by law to take the acknowledgment of deeds, and a certificate of such acknowledgment made thereon. After the approval of the bond by the city council or officer authorized to approve said bond, the City Clerk shall endorse thereon the date of its approval, and file said bond.

950. Salaries—Fixed Annually.] § 4. The salaries or compensation of the Mayor, the Commissioners and all officers, clerks, and employees of the city shall be determined and fixed each year by the council in the annual salary ordinance.

951. Reports of Officers to Mayor and Council.] § 5. Each commissioner, in addition to the regular reports required to be made by him, shall report in writing to the Mayor or council when so required by either the Mayor or council, respecting any matter on which said report may be requested. All other officers of the city are required to make a like report whenever requested by the Mayor, the council or the commissioner to whose department any such officer may be attached.

952. Offices—Time Shall be Open.] § 6. The offices of the respective city officers, except those of the Mayor and commissioners, shall be open for business every day, except Sundays and legal holidays, from eight o'clock in the forenoon to five o'clock in the afternoon.

ARTICLE XXVII.

ORDINANCES.

Section.	Section.
953. Ordinances — Record of — Proof of Publication.	956. Repeal of Repealing Ordinance—Non-Revivor.
954. Two Penalties—Election Between — One Judgment Only.	957. Words—How Construed.
955. Minimum Fine Only Expressed — Judgment May be for \$200.00.	958. Penalty Not Expressed.
	959. Revised Ordinances — Custody and Distribution of.
	960. Repeal—Rights Reserved.
	961. Application to Future Ordinances.

953. Ordinances—Record of—Proof of Publication.] § 1. All ordinances passed by the council shall be recorded by the City Clerk in a proper book or books kept for that purpose, which said book or books shall have complete indexes. The originals of all ordinances shall be kept on file in the clerk's office. In the case of ordinances requiring publication, due proof of said publication shall be procured by the clerk in the form of a certificate of the printer or publisher, which said certificate shall be attached to such ordinance or written and attested upon the face of the original of such ordinance.

954. Two Penalties—Election Between—One Judgment Only.] § 2. In all cases where the same offense may be made punishable or shall be created by different clauses or sections of the ordinances of the City of Bloomington, the prosecuting officer may elect under which to proceed; but no more than one recovery shall be had against the same person for the same offense.

955. Minimum Fine Only Expressed—Judgment May be for \$200.] § 3. Whenever in this or any ordinance hereafter passed a minimum but no maximum fine or penalty is imposed, the court may in its discretion adjudge the offender or offenders to pay a sum of money exceeding the minimum fine or penalty so fixed and not exceeding the sum of two hundred dollars.

956. Repeal of Repealing Ordinance—Non-Revivor.] § 4. When any ordinance which expressly or by implication repeals a former ordinance, clause or provision shall be itself repealed, such repeal shall not be construed to revive such former ordinance, clause or provision.

957. Words—How Construed.] § 5. Whenever any words in any ordinance importing the plural number shall be used in describing or referring to any matters, parties or persons, any single matter, party or person shall be deemed to be included, although distributive words shall

not be used. And when subject matter, party or persons shall be referred to in any ordinance by words importing the singular number only, or the masculine gender, several matters, parties or persons, and females as well as males, and bodies corporate shall be included: *Provided*, that these rules of construction shall not be applied to any ordinance which shall contain any express provisions excluding such construction, or where the subject matter or context of such ordinance may be repugnant thereto.

958. Penalty Not Expressed.] § 6. Whenever in any ordinance, article or section the doing of any act or the omission to do any act is declared to be a breach thereof, and there shall be no other fine or penalty prescribed for such breach, any person who shall be convicted of any such breach shall be adjudged to pay a fine of not less than five dollars nor more than one hundred dollars for each offense.

959. Revised Ordinances—Custody and Distribution of.] § 7. All the printed books containing the revised ordinances shall be in the custody and keeping of the City Clerk. He shall deliver one copy thereof to each officer of the city, and to such other persons as the council may direct. The Mayor shall have authority to extend to or reciprocate courtesies of other cities by presenting to them a copy of the revised ordinances bound at the expense of the city in such manner as to him may seem advisable.

960. Repeal—Rights Reserved.] § 8. All public or general ordinances or parts thereof, not included in this ordinance, are hereby repealed: *Provided*, the repeal of said public or general ordinances, or parts thereof, shall not be construed to impair any right existing, or affect any proceeding pending, or be taken as a release or waiver of any agreement, contract, right, debt, obligation or liability accrued or incurred, or of any claim arising under said former ordinances, or parts thereof, or as to any claim arising or right accruing before this ordinance takes effect, or of any fine, penalty, forfeiture or punishment incurred, or of any action suit or proceeding instituted and pending: *Provided, further*, if any penalty, forfeiture or punishment be mitigated by any provisions of this ordinance, such provision may, by the consent of the party affected, be applied to any judgment pronounced after this ordinance takes effect.

961. Application to Future Ordinances.] § 9. The provisions of this article shall apply to ordinances hereafter passed as well as to this ordinance.

ARTICLE XXVIII.

PAWNBROKERS AND LOAN BROKERS OR KEEPERS OF LOAN OFFICES.

Section.	Section.
962. License Required.	971. Redemption or Removal of Pledge—When Prohibited.
963. Pawnbroker Defined.	972. Hours of Business.
964. License Fees.	973. No Pawn From Minor.
965. Bond.	974. Only One Other Business at Licensed Place.
966. Record of Loans and Pledgor.	975. Minor Not to be Employed.
967. Memorandum of Pledge to Pledgor.	976. Prohibited Pledges.
968. Police Inspection of Record.	977. Police Report — Revocation of License.
969. Prohibited Purchases.	978. Penalty.
970. Report to Police Department.	

962. License Required.] § 1. The Mayor in his discretion may grant licenses to such persons as shall produce to him satisfactory evidence of their good character, to exercise or carry on the business of pawnbrokers, or of loan brokers or keepers of loan offices; and no person shall exercise or carry on the business of a pawnbroker or loan broker, or keeper of a loan office without being duly licensed, under a penalty of not less than one hundred dollars nor more than two hundred dollars for each and every day any person shall exercise or carry on said business without said license.

963. Pawnbroker Defined.] § 2. Any person who loans money on deposit or pledge of personal property, or who deals in the purchase of personal property on condition of selling the same back at a stipulated price, or who makes a public display at his place of business of the sign generally used by pawnbrokers to denote their business, to-wit, "three gilt or more or less yellow balls," or who publicly exhibits a sign of "money to loan on personal property, or deposit or pledge," or any sign of like import, is hereby declared to be a pawnbroker.

964. License Fees.] § 3. Every applicant for a license as a pawnbroker shall before the same is issued pay to the Commissioner of Accounts and Finances for the use of the City of Bloomington the sum of one hundred dollars, which sum shall be in full of a license of said business for the term or period of one year, and such license shall not be transferable to any person or persons except upon the written consent of the Mayor endorsed thereon. No license shall be issued for less than one year.

965. Bond.] § 4. Every person so licensed shall before receiving such license give bond with two or more sureties, to be approved by the

city council, in the sum of one thousand dollars, conditioned for the due observance of all ordinances of the City of Bloomington then in force or that may be passed during the term for which such license is granted.

966. Record of Loans and Pledges.] § 5. Every pawnbroker and loan broker, or keeper of a loan office, shall keep a book in which shall be plainly written in ink at the time of each loan an accurate account and description in the English language of the goods, articles or things pawned or pledged, the amount of money loaned thereon, the time of pledging the same, the rate of interest to be paid on such loan, and the name and residence of the person pawning or pledging said goods, article or thing. No such entry made in said book shall be erased, obliterated or defaced.

967. Memorandum of Pledge to Pledgor.] § 6. Every pawnbroker and loan broker, or keeper of a loan office, shall at the time of each loan deliver to the person pawning or pledging any goods, article or thing, a memorandum or note signed by him and containing the substance of the entry required to be made in his book by the last preceding section; and no charge shall be made or received by any pawnbroker or loan broker, or keeper of a loan office for any such entry, memorandum or note.

968. Police Inspection of Record.] § 7. The said book, as well as every article or other thing of value pawned or pledged, shall at all reasonable times be opened to the inspection of the Mayor or any member of the police force.

969. Prohibited Purchases.] § 8. No pawnbroker, loan broker, or keeper of a loan office, shall, under any pretense whatever, purchase or buy any second-hand furniture, metals or clothes offered to him as a pawn or pledge.

970. Report to Police Department.] § 9. It shall be the duty of every person so licensed as aforesaid to make out and deliver to the City Marshal every day before the hour of twelve o'clock m. a legible and correct copy from the record book required in section five of this article, of all personal property and other valuable things received on deposit during the preceding day, together with the time, meaning the hour, when received or purchased, and a description of the person or persons by whom left in pledge or from whom the same were purchased.

971. Redemption or Removal of Pledge—When Prohibited.] § 10. No personal property received on deposit or pledge by any such licensed person shall be sold or permitted to be redeemed or removed from the place of business of such licensed person for the space of twenty-four hours after the copy and statement required to be delivered to the City Marshal have been delivered as required by the preceding section.

972. Hours of Business.] § 11. No person licensed as aforesaid shall keep open his place of business or receive on deposit or pledge any personal property or other valuable thing before the hour of six a. m.

nor after the hour of seven p. m. during the months of January, February, March, April, October, November and December of each year; nor before the hour of five a. m. nor after the hour of seven-thirty p. m. during the months of May, June, July, August and September of each year. No such place of business shall be kept open on Sunday.

973. No Pawn From Minor.] § 12. No person licensed as aforesaid shall take or receive in pawn or pledge for money loaned any property, bonds, notes, securities, article or valuable thing from any minor, or the ownership of which is in or which is claimed by a minor.

974. Only One Other Business at Licensed Place.] § 13. No person licensed as aforesaid shall carry on more than one other business or vocation in the same store room in which he or she may be licensed to carry on the business of pawnbroker, loan broker or keeper of a loan office.

975. Minor Not to be Employed.] § 14. No person licensed as aforesaid shall employ any person under sixteen years of age to take pledges in pawn.

976. Prohibited Pledges.] § 15. No person so licensed shall take any article in pawn from any person appearing to be intoxicated, nor from any person known to be a thief, or to have been convicted of larceny or burglary.

977. Police Report—Revocation of License.] § 16. It shall be the duty of all members of the police force to report to the Mayor any failure to comply with the provisions of this article, and the Mayor may revoke the license of any person offending against any of its provisions. And the Mayor may, forthwith, revoke the license of any person who shall be convicted of a violation of any of the provisions of this article, whether such judgment of conviction shall have been appealed from or not.

978. Penalty.] § 17. Every pawnbroker, loan broker, or keeper of a loan office who shall violate or neglect or refuse to comply with any of the provisions of this article, when no other penalty is imposed, shall be subject to a penalty of not less than ten dollars nor more than one hundred dollars for each offense, and in addition to such penalty the license of any person convicted as aforesaid may be revoked.

ARTICLE XXIX.

PEDDLERS

Section.

979. Peddler Defined — License
Required—Penalty.

980. License Fee.

981. Application for License —
What to Contain.

Section.

982. Peddlers Not to Harass, Vex
or Annoy Purchaser—Not
to Become Trespassers.

983. Vehicle to Show Name of
Licensee.

Section.

984. Inspector of Health and Food—Duty of.
 985. Entry of Wagons, etc.—Prevention of Adulteration.

Section.

986. Misrepresentation—Penalty,
 987. Hawking on Street—Penalty.
 988. Penalty.

979. Peddler Defined—License Required—Penalty.] § 1. Every person who shall sell or offer for sale, barter or exchange at retail any food, drink, goods, wares or merchandise, traveling from place to place in, along or upon the streets, avenues, alleys or other public places of this city, or who shall sell and deliver from any wagon or other vehicle, going from place to place in the City of Bloomington, whether to regular customers or not, any goods, wares or merchandise, shall be deemed a peddler, and shall, before engaging in such business, obtain a license as a peddler: *Provided*, that this article shall not apply to merchants permanently established and having a fixed place of business on private property within the City of Bloomington.

No person shall engage in the business of peddler as above specified and defined, without a license, under a penalty of not less than five dollars nor more than fifty dollars for each offense.

980. License Fee.] § 2. The Mayor shall grant licenses as required in the preceding section of this article upon payment to the Commissioner of Accounts and Finances of the following license fee:

- (a) For selling jewelry, ten dollars per day, or fifty dollars per week.
- (b) For selling clothes, silks, cassimeres, prints, dress goods, table cloths or any knit or woven goods of either cotton or wool, the sum of five dollars per day, or twenty-five dollars per week.
- (c) For selling salves, liniments, drugs or medicines, the sum of five dollars per day.
- (d) For selling statuary, pictures, books or papers, other than newspapers, the sum of ten dollars per week.
- (e) For selling and delivering milk to customers, the sum of two dollars and fifty cents per year for each wagon or vehicle used for such purpose.
- (f) For selling fruits, nuts, confectionery, vegetables or any article of merchandise not otherwise enumerated herein, the sum of sixty dollars per year, five dollars per week, or one dollar per day.

Such license shall include the right to use only one wagon, vehicle or conveyance in carrying on the business as aforesaid, and said license shall not be transferrable without the written consent of the Mayor.

981. Application for License—What to Contain.] § 3. All licenses provided for in this article shall be issued by the City Clerk upon the direction of the Mayor and the presentation to said clerk by the applicant of the receipt of the Commissioner of Accounts and Finances for the proper

license fee. Such applicant shall state definitely the articles to be sold and the proposed manner of selling the same, whether by speeches, songs, outcry or otherwise, and the person licensed shall be limited to the articles and mode of sale stated in his or her application, and shall be protected no further, which articles and the mode of sale shall be stated in the license.

982. Peddlers Not to Harass, Vex or Annoy Purchaser—Not to Become Trespassers.] § 4. No peddler, canvasser or solicitor shall vex, annoy or harass any person by importuning such person to purchase or to look at his goods or wares, nor shall any peddler enter any private house or residence without being invited to come in.

983. Vehicle to Show Name of Licensee.] § 5. Every wagon, cart or other vehicle used by a person licensed under this article shall be conspicuously and permanently marked with the name of such person and with the number of his license.

984. Inspector of Health and Food—Duty of.] § 6. It shall be the duty of the Inspector of Health and Food to prevent, so far as he has legal power to do so, all sales of or dealing in decayed or unwholesome vegetables, produce, poultry or fish, or impure, adulterated or unwholesome milk; and to cause the arrest and prosecution of any and all such offenders.

985. Entry of Wagons, etc.—Prevention of Adulteration.] § 7. The said inspector shall have power and authority to enter any and all wagons or other vehicles used and employed by peddlers within the corporate limits of said city whenever he has reason to believe that any article therein is adulterated, impure or unwholesome, and whenever he deems it necessary he shall take samples thereof and cause the same to be analyzed, or otherwise satisfactorily tested, and the result of such test shall be recorded and preserved as evidence.

986. Misrepresentation—Penalty.] § 8. Any person licensed under this article who shall be guilty of any fraud, cheat, misrepresentation or imposition while acting under such license, or while selling his goods, shall be subject to a fine of not less than ten dollars nor more than one hundred dollars.

987. Hawking on Street—Penalty.] § 9. It shall be unlawful for any person whatever, whether he has a peddler's license or not, in going along the streets, alleys, highways or other public places of the City of Bloomington, to call out, cry or by any device make any noise, or blow any horn to call attention to the sale of any goods, wares, merchandise, or any article or thing whatever, under a penalty of not less than one dollar nor more than ten dollars for each offense.

988. Penalty.] § 10. Any person who shall violate any of the provisions of this article, or refuse or neglect to comply with any requirements thereof, where no other or different penalty is provided, shall be punished

by a fine of not less than five dollars nor more than one hundred dollars. And in addition to any fine, all licenses that may have been issued to any such person may be revoked by the Mayor upon a conviction for a violation of any of the provisions of this article.

ARTICLE XXX.

POLICE MAGISTRATE.

Section.	Section.
989. Election.	997. Writ—How Officer to Execute.
990. Jurisdiction of.	998. Police Officer—Not to Retain Witness Fees.
991. Amendment of Complaint, etc.	999. Jury Trial—Fix Fine.
992. Violations of City Ordinances—Form of Complaint.	1000. Jury Fees—Witness Fees.
993. Sworn Complaint—Warrant to Issue—To Whom Directed—Trial, etc.	1001. Magistrate's Fees.
994. Offender Unknown—Description of—Duty of Magistrate.	1002. Officer's Fees to be Taxed.
995. Conviction—Commitment—Limit of Term.	1003. Costs Adjudged Against City—When Payable.
996. Form of Warrant of Commitment to the Keeper of City Prison.	1004. Fines, etc., Paid to City—Neglect or Refusal.
	1005. Collection on Execution by Officer.
	1006. Magistrate to Report Monthly to Council.

989. Election.] § 1. There shall be elected for the City of Bloomington one Police Magistrate at the regular election for Mayor and Commissioners in the year 1919, and every four years thereafter.

990. Jurisdiction of.] § 2. All suits or actions for the recovery of any fine, penalty or forfeiture arising under the laws or ordinances of the City of Bloomington, where the amount sued for or in controversy does not exceed two hundred dollars, may be brought before any Police Magistrate or justice of the peace of the city.

991. Amendment of Complaint, etc.] § 3. No suit or proceeding under the laws or ordinances of the city shall be dismissed for any defect or informality in the complaint if the offense be substantially alleged therein; and amendments may be allowed in all cases upon such terms as the magistrate or court before which the case is pending shall deem just and reasonable.

992. Violations of City Ordinances—Form of Complaint.] § 4. All prosecutions for the violation of any of the ordinances of the City of

Bloomington may be upon complaint, which shall be sworn to by the person making the same, and which said complaint shall be in substantially the following form, to-wit:

STATE OF ILLINOIS, }
McLEAN COUNTY, } ss.

A. B., being first duly sworn, by way of complaint to _____ Police Magistrate of the City of Bloomington, states that section _____ of ordinance _____ of said City of Bloomington has been violated, and that he has reasonable grounds to believe that C. D. has been guilty of a breach of said ordinance by (here describe the particular breach of the ordinance), in the City of Bloomington, and county aforesaid, between the _____ day of _____, 19____, and the _____ day of _____, 19____.

A. B.

Subscribed and sworn to by the said A. B. before me this _____ day of _____, 19____.

E. F.,

Police Magistrate.

Which complaint may be written or printed, or partly written and partly printed, and said form shall and may be so varied as to apply to the nature of the offense or breach, or the time, place or the number of persons joined in the action or suit, etc., as the occasion and the right and justice of the case may require, without regard to the particular form of words; and no objection to form or words shall be allowed if such complaint shall substantially set forth the nature of the offense charged, under oath, so as to give notice to the defendant of the nature of the charge which he is called upon to answer.

993. Sworn Complaint—Warrant to Issue—To Whom Directed—Trial, etc.] § 5. If such complaint be made by any city officer of said city the same shall be signed and sworn to by the officer making it the same as if it were made by any other person than a city officer, and shall be verified by affidavit in the usual way of making complaint on oath; and the said magistrate shall thereupon issue his warrant, reciting therein the breach of the ordinance as set forth in the complaint, for the arrest of the person named or described therein, returnable forthwith; which warrant shall be directed to the City Marshal or any policeman of said city, or to any constable of McLean county; and the said magistrate, on the appearance of the offender, shall without unnecessary delay proceed with the examination and trial of the defendant.

994. Offender Unknown—Description of—Duty of Magistrate.] § 6. If the name of any defendant is unknown, he may be designated by any description by which he can, with certainty, be identified; and if upon arrest he shall refuse to disclose his real name, he may be tried and convicted by the designation used in the warrant. But where the true name of any defendant is known to the magistrate, or can be ascertained by him, it shall be the duty of such magistrate to place the same upon his docket.

995. **Conviction—Commitment—Limit of Term.]** § 7. In all cases where any person may hereafter be convicted of a violation of any of the ordinances of said city, and the amount of the fine and costs shall not be paid immediately upon rendition of judgment, the magistrate before whom the trial may be had may commit the defendant by warrant of commitment to the city prison of the City of Bloomington until such fine and costs be fully paid, for a period not exceeding six months for any one offense.

996. **Form of Warrant of Commitment to the Keeper of City Prison.]** § 8. The said warrant of commitment shall be in the following form, as near as may be, to-wit:

STATE OF ILLINOIS, }
McLEAN COUNTY, } ss.

The People of the State of Illinois, to the Keeper of the City Prison of Bloomington, Greeting:

WHEREAS, a judgment upon a fine and costs was rendered by the undersigned, a Police Magistrate of the City of Bloomington, in said county, on the——day of——, 19——, in the suit of the City of Bloomington, against (insert name of defendant) for the violation of an ordinance of said city, for the amount of (here insert amount of fine) besides (here insert amount of costs) costs of suit, and the said (name of defendant) having failed to pay said fine and costs, as provided by ordinance, it was ordered by the undersigned that he be committed to the said city prison until such fine and costs are fully paid, for the period of—— from the——day of——,——.

You are, therefore, hereby commanded, in the name of the said people, to receive and safely keep in your charge and custody the said (name of defendant) until such fine and costs are fully paid, for the period of (insert time of imprisonment), from the——day of——,——, and compel the said (name of defendant) to work at such labor within and without said city prison, as his (or her) strength will permit, not exceeding ten hours each working day, subject to the rules and regulations for the government and discipline of persons committed to said city prison; and for such labor the said (name of defendant) shall be allowed, exclusive of his (or her) board, the sum of fifty cents for each day's work on account of said fine and costs; and when the whole amount of said fine and costs has been worked out or paid in money, or paid part in money and part in labor as aforesaid, you, the said keeper, shall discharge the said (name of defendant) from your custody, and of which fine and costs and the term of imprisonment, as herein stated, you, the said keeper, will take due notice.

Given under my hand and seal, at the City of Bloomington, this—— day of——,——.

(SEAL)

E. F.,

Police Magistrate of the City of Bloomington.

997. Writ—How Officer to Execute.] § 9. The officer who shall execute any writ or other process issued by the Police Magistrate of said city shall, unless otherwise directed by this or some other ordinance of said city, proceed in the execution of his duty in the same manner as constables are required to proceed under the laws of this state; and the Police Magistrate in issuing process and on the return thereof shall, unless otherwise directed by this or some other ordinance of said city, be governed by the law of this state appertaining to like proceedings before justices of the peace.

998. Police Officer—Not to Retain Witness Fees.] § 10. In all suits and prosecutions in behalf of the said city before any Police Magistrate for a violation of a city ordinance, any policeman or other officer of said city is hereby made a competent witness; but no policeman shall be entitled to retain any witness fee in such case.

999. Jury Trial—Fix Fine.] § 11. The City of Bloomington, or any person who shall be accused of having committed a breach of any ordinance now or hereafter to be in force in the City of Bloomington, may have the cause tried by a jury of six lawful men, and if desired by a full jury of twelve, who shall be summoned to try the cause, and if the jury find the accused guilty they shall assess and state the amount of the fine, upon which the magistrate shall give judgment for fine and costs and proceed to collect the same as herein required.

1000. Jury Fees—Witness Fees.] § 12. Each juror summoned and who shall sit upon the trial of any such cause shall be entitled to the sum of fifty cents per day for each and every day or fraction of a day while so occupied, which fees shall be taxed as a part of the costs in the case and shall abide the result of the suit. All witnesses subpoenaed upon the trial of any such cause shall be entitled to a like sum of fifty cents per day for each day's necessary attendance, to be taxed as costs in the case, and abide the result of the suit.

1001. Magistrate's Fees.] § 13. That Police Magistrates in all causes for the violations of ordinances of the city shall be allowed, when earned, all such fees as are prescribed by statute.

1002. Officer's Fees to be Taxed.] § 14. In all prosecutions for violations of city ordinances, there shall be taxed as a part of the costs, and collected and paid into the city treasury, the following officer's fees, to-wit:

For serving and returning a warrant, for each person served, fifty cents.

For serving subpoena, for each person served, twenty-five cents.

For serving a venire, fifty cents.

For attending and waiting on a jury, fifty cents.

For serving and returning each execution, fifty cents.

For serving and returning a writ of attachment, fifty cents, and five cents per mile each way for actual distance traveled by him in serving such

writ, the distance to be computed from the office of the police magistrate or justice of the peace to the residence of each person served.

For serving mittimus, fifty cents.

1003. Costs Adjudged Against City—When Payable.] § 15. In all prosecutions for any violation of any ordinance of the City of Bloomington in which the costs, or any part thereof, shall be adjudged against said city, the payment of the same shall in each instance be in the discretion of the city council, and payable only as it shall direct.

1004. Fines, etc., Paid to City—Neglect or Refusal.] § 16. The Police Magistrate and justices of the peace, or other such officer, collecting fines, costs or moneys on account of the city shall pay over the same to the Commissioner of Accounts and Finances on or before the first of each and every month. If any such officer shall neglect or refuse to pay over the amount of any fines or moneys collected by him for the use of the city, as herein required, it shall be the duty of the Commissioner of Accounts and Finances to give notice to any such person to pay over as aforesaid all moneys so due the city, and every such person so notified, failing or refusing to comply with such notice within ten days after the service of the same as herein provided shall be deemed and held to be in default, and proceedings shall at once be commenced by the proper department of the city government against any person so delinquent, and the official sureties of such person, to compel the payment of all moneys so due the city, and such officer finally adjudged to be in default shall be subject to all further proceedings provided by law concerning the withholding of public funds upon lawful demand therefor being made.

1005. Collection on Execution by Officer.] § 17. It shall be the duty of every officer of the city holding any execution for the collection of any fine or penalty imposed by any lawful authority of the city government, to make to the court from which such execution issued a report of all moneys collected by him on such writ, and pay the said amount into the proper court as soon as any sum thereon is received, and to make proper return of such writ in the time and manner provided by law.

1006. Magistrate to Report Monthly to Council.] § 18. The Police Magistrate or justice of the peace before whom any suit may be brought for the recovery of any fine or penalty for the violation of any ordinance or law of the city, shall on the first day of each month report to the city council on blanks to be provided for that purpose, a detailed list of all suits brought before such magistrate or justice of the peace in the name of the city since his last report, the amount of fines imposed, if any, and whether any portion of such fine was paid, and how much, the amount of costs taxed, and for what purposes, and whether paid or not, the date of the judgment, and the name of the person against whom rendered, with the final disposition of each case by the magistrate or justice before whom the complaint was brought or disposed of; and all such officers shall at the same time make report of all fines and penalties collected from the date of their last report on all prior judgments.

ARTICLE XXXI.

POOL SELLING.

Section.

1007. Pool Selling Prohibited—Penalty.

1007. Pool Selling Prohibited—Penalty.] § 1. Any person or corporation who keeps any room, shed, tenement, tent, booth or building, or any part thereof, or who occupies any place upon any public or private grounds, within the City of Bloomington, with any book, instrument or device for the purpose of recording or registering bets or wagers, or of selling pools, or any person who records or registers bets or wagers, or sells pools upon the results of any trial or contest of skill, speed or power of endurance of man or beast, or upon the result of any political nomination, appointment or election, or being the owner, lessee or occupant of any room, shed, tenement, tent, booth or building, or part thereof, knowingly permits the same to be used or occupied for any of these purposes, or therein keeps, exhibits or employs any device or apparatus for the purpose of recording or registering such bets or wagers or the selling of such pools, or becomes the custodian or depository for hire or privilege of any money, property or thing of value staked, wagered or pledged upon any such result, shall be fined in a sum of not less than fifty dollars nor exceeding two hundred dollars.

ARTICLE XXXII.

SALOONS.

Section.

1008. Intoxicating Liquor—Sale
of at Retail Prohibited—
Penalty.

1009. License — Council May
Grant — Bond — Prohib-
ited Territory.

1010. Licenses—Number Limited.

1011. Saloons — Structural and
Other Requirements.

1012. Bond — Sureties — Condi-
tions of.

1013. Application — Transfer of
License.

1014. License Fee—No Refund.

1015. Licenses to Issue Quarterly
—Quarters Designated —
Full Fee for Part of
Quarter.

Section.

1016. License to be Posted—
Penalty.

1017. Saloons — When May be
Open — Gambling and
Disorderly Conduct—Pic-
tures — Patrons — Wine
Rooms—Penalty.

1018. Selling to Drunkards—Pen-
alty.

1019. Saloons—Mayor May Close
by Proclamation — Pen-
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1020. Officers May Enter Prem-
ises—Penalty.

1021. Saloons—No Games, Music
or Dancing Therein.

Section.		Section.	
1022.	Intoxicating Liquor—Sale of at Wholesale Prohibited — License — License Fee—Bond—Penalty.	1027.	Labels on Bottles.
1023.	Intoxicating Liquor — License to Druggists to Sell for Certain Purposes— Application — Record — Report—Bond.	1028.	Intoxicating Liquor Defined.
1024.	Druggists — Requirements to be Complied With Before Each Sale by.	1029.	Licenses—How Executed.
1025.	Penalty.	1030.	Clerk to Report Expirations, etc.
1026.	Physicians—False Prescriptions by—Penalty.	1031.	Penalty.
		1032.	Revocation of License.
		1033.	Pleading and Complaints— Evidence.
		1034.	Shifts and Devices.
		1035.	Invalid Portions Not to Affect Remainder.

1008. Intoxicating Liquor—Sale of at Retail Prohibited—Penalty.]

§ 1. It shall be unlawful for any person in said city, either by himself, herself or agent, or for any agent, barkeeper, clerk, servant or other person, to sell at retail any intoxicating liquor, in any quantity whatever, whether or not the same is to be drunk upon the premises or in or upon any adjacent room, building, yard, premises or place of public resort, or to keep what is termed by the laws of this State a dramshop, without first having obtained a license so to do, which said license shall be known as a "Retail Liquor Dealer's License" and shall be subject to all the conditions and restrictions in this article hereinafter provided. Any person violating any of the provisions of this section, whether principal, agent, barkeeper, clerk or servant, as aforesaid, shall forfeit and pay not less than fifty dollars nor more than two hundred dollars for each offense.

1009. License—Council May Grant—Bond—Prohibited Territory.]

§ 2. Subject to the limitations and restrictions hereinafter set forth, the council may from time to time grant licenses for the selling of intoxicating liquors at retail within the City of Bloomington to any person who shall apply to them in writing, upon such person's furnishing sufficient evidence to satisfy them that he or she is a person of good moral character and upon such person's executing a bond to the City of Bloomington as hereinafter provided, together with such other bonds as are by law required: *Provided*, that the said council may, in its discretion, refuse to grant such license to any applicant: and, *Provided*, further, that no license for the selling of intoxicating liquors at retail shall be granted to any person or persons at any location on any street in any block in the City of Bloomington on which any religious, educational, reformatory or eleemosynary institution may occupy at the time the said license is to be granted the whole of any building erected for the purposes of such institution; nor shall any license be granted for a location on North Center Street from the

North line of Washington Street to the South line of Jefferson Street, nor on West Jefferson Street from the East line of Center Street to the West line of Main Street, nor on North Main Street from the South line of Jefferson Street to the North line of Washington Street, nor on West Washington Street from the West line of Main Street to the East line of Center Street, which said parts of streets constitute what is commonly known as the Public Square.

1010. Licenses—Number Limited.] § 3. The number of licenses for the selling of intoxicating liquor at retail at no time shall exceed thirty-five in number.

1011. Saloons—Structural and Other Requirements.] § 4. No intoxicating liquor shall be sold at retail in any room in the said city unless the said room shall comply with the following requirements.

a. Said room shall be on the first floor, commonly known as the ground floor, and no license shall be granted for the selling of intoxicating liquor at retail in any basement, cellar, second story or upper story room.

b. Said room shall have but one entrance for customers of the place, and that entrance from the front of the building or room, and in no case from an alley. Any other entrance to the room, whether from the rear or side, shall be kept closed and securely locked, bolted or barred, and only opened while actually receiving the stock in trade of the place or disposing of the refuse, and no customer of the place shall be allowed to make use of such doorway either as an entrance or exit.

c. Said room shall have no communication, whether by stairway, dumb waiter or other communicating way, with the second floor or other upper floor of the building in which said intoxicating liquors are sold at retail, nor with the basement of said building if said basement is used in whole or in part by any person other than the licensee.

d. The basement or cellar under said room may be used by the licensee for storage purposes only and no person shall be allowed to enter said basement or cellar at any time except the employees of said place or other persons in the act of performing some duty relative to said storage.

e. No food or provisions shall be sold or offered for sale in any room occupied by a licensee under this article as a place for the sale of intoxicating liquors at retail or wholesale.

f. Of that portion of the front wall of said room commonly known as the store front which is between a line parallel to and four feet above the public sidewalk and a line parallel to and eight feet above the public sidewalk, not less than fifty percent shall be clean, transparent glass in panes of a dimension of not less than eighteen inches, which said fifty per cent shall have as its bottom line the said line four feet above the said sidewalk. No windows in any part of said room shall be of any material other than clean, transparent glass, which windows shall not be curtained or covered.

g. Said room shall contain no screen, partition or other obstruction, but there shall be afforded from the public street through the said store front a clear unobstructed view of the entire width of the said room for its en-

tire length. No fixtures commonly known as booths shall be placed in said room. At all times the said room shall be well lighted, and after closing hours artificial light of not less than 16 candlepower shall be kept burning in the rear of said room.

1012. Bond—Sureties—Conditions of.] § 5. Subject to the provisions of the preceding sections, the person applying for such license shall give bond to the City of Bloomington, in the penal sum of one thousand dollars signed by a surety company licensed to transact business in Illinois or by two individuals, freeholders and residents of McLean County, as sureties, which said bond shall be subject to the approval of the council. No bond shall be approved which has as surety a freeholder who has already signed two bonds required under this article.

Said bond shall be conditioned upon a faithful compliance with all the conditions set forth in this article and a breach of any of the conditions of said bond shall work a forfeiture of the penalty thereof, which amount shall be recoverable in an action of debt. Said bond shall also be conditioned for the payment of all fines, penalties or forfeitures assessed against the said licensee during the continuance of his said license. The applicant for such license shall also give bond as is or may hereafter be required by the laws of the State of Illinois.

1013. Application—Transfer of License.] § 6. An applicant for a license under this article shall state in his written application therefor, his full name and the place where said liquors are proposed to be sold, and the license issued under this article shall set forth the name of the person licensed, the place where said liquors are proposed to be sold and the terms and conditions upon which said license is granted, as required in the bond of the applicant, and said license shall not authorize such persons to sell any of said liquors at any other, or different time or place, nor upon any other terms or conditions than such as are stated therein, and said license shall not be transferred from one person to another, nor from one place to another place in said city without the consent of the council expressed by a resolution passed in regular session.

1014. License Fee—No Refund.] § 7. Upon compliance by the applicant with all the foregoing and following provisions of this article, licenses may be granted, in the discretion of the council, to sell at retail said liquors in this city upon the following terms and conditions, to-wit: For the term of one year, for the sum of twelve hundred dollars, payable quarterly in advance. It shall be a part of the license granted under this ordinance that no part of said license fee shall be refunded to the applicant in any event. The acceptance of the said license by the said applicant shall constitute an agreement between the parties thereto that the applicant shall not recover from the city any unearned portion of the money paid for said license whether the term of said license is shortened by a voluntary withdrawal of the licensee from business, or by inevitable accident or by a revocation of the license by the city or by any other temporary or permanent cause whatsoever.

1015. Licenses to Issue Quarterly—Quarters Designated—Full Fee for Part of Quarter.] § 8. For the purpose of this ordinance the calendar year shall be divided into quarters as follows: First quarter, May, June and July; second quarter, August, September and October; third quarter, November, December and January; fourth quarter, February, March and April. All licenses granted under this ordinance shall be granted for the current quarter, and shall expire and become void at the end of the quarter for which said licenses shall be granted. All licenses granted at any time during any quarter shall be charged for the same as the fee for a full quarter, and shall expire at the close of the quarter during which they shall be granted.

1016. License to be Posted—Penalty.] § 9. Every person who shall obtain a license under this article, shall at all times keep the same hung or posted in some conspicuous place in the bar room or other place of business where said liquors are sold; and any person failing or neglecting to comply with this section shall forfeit and pay not less than five dollars nor more than twenty-five dollars for each offense, and each day or part thereof shall constitute a separate offense.

1017. Saloons—When May be Open—Gambling and Disorderly Conduct—Pictures—Patrons—Wine Rooms—Penalty.] § 10. Any person who may obtain a license from said city to sell intoxicating liquors at retail shall not be permitted to keep his or her house, shop or place for the sale of said liquors open and accessible from ten o'clock p. m. on each and every Saturday, until six o'clock a. m. on each and every next succeeding Monday, or suffer or permit any person to enter or be in the same between said hours, or drink any of said liquors, whether they pay for the same or not; nor shall any person licensed to sell said liquors under this article be permitted to keep his house, shop or place where he sells said liquors open and accessible between ten o'clock p. m. and six o'clock a. m. during the balance of the week; nor shall any person licensed to sell said liquors suffer or permit any gambling, or riotous, disorderly, indecent or offensive conduct of any kind whatever to be practiced in or about any premises occupied by him for the purpose of selling said liquors; nor shall he allow lewd or immoral pictures to be exposed to view, nor shall he harbor or permit lewd women or prostitutes, minors, idiots, idlers, thieves or tramps to frequent his place of business; nor shall he operate any wine room or rooms in connection with his saloon, nor rooms partitioned off from the main part of the saloon, except for use as a toilet; nor shall it be lawful for any person so licensed to sell or give away any of said liquors to any minor, nor to suffer any minor to drink any of said liquors in or about his premises, nor to permit any minor to frequent, remain at, be harbored about, or to play at any game whatever, in or about any premises where he or she may be licensed to sell said liquors; and every person convicted of any of the offenses enumerated in this section shall forfeit and pay a sum not less than fifteen dollars nor more than one hundred dollars for each offense.

1018. Selling to Drunkards—Penalty.] § 11. It shall not be lawful for any person or persons in said city to sell or give away any of said

liquors to any person who is drunk or intoxicated or who is an habitual drunkard, nor to suffer or permit any such person to drink any of said liquors in or about his or their house, shop, saloon or premises, nor to loiter about the same; and any person violating this section shall forfeit and pay not less than ten dollars nor more than one hundred dollars for each offense.

1019. Saloons—Mayor May Close by Proclamation—Penalty.] § 12. In all cases where, in the opinion of the Mayor or city council, the public peace is likely to be endangered by the keeping open of such places where intoxicating liquor is sold at retail, it shall be lawful for the Mayor to issue his proclamation under the seal of the city, commanding and enjoining all persons so licensed by said city, and their servants and agents, to close their shops and places of business for such time as the said Mayor or city council may deem necessary, and neither to sell, give away or suffer to be drunk any of said liquors in or about their premises during the time mentioned in said proclamation; and if any person shall disobey said proclamation by keeping open such dramshop, or by selling, giving away or suffering to be drunk in or about his premises any of said liquors, he or she shall forfeit and pay the sum of one hundred dollars.

1020. Officers May Enter Premises—Penalty.] § 13. All persons licensed to sell liquors shall be required to permit the Mayor, any commissioner or any police officer of said city to enter their premises at any time such Mayor, commissioners, or officers may deem proper; and if any person licensed to sell liquors as aforesaid shall refuse to permit the Mayor, commissioners, or any police officer to enter upon his or her premises as aforesaid, he or she shall, upon conviction, forfeit and pay not less than twenty-five dollars nor more than one hundred dollars for each offense.

1021. Saloons—No Games, Music or Dancing Therein.] § 14. No game of cards, pool, billiards, dice or game of any nature whatsoever, whether the same be played for money or merely for pleasure, shall be permitted in any place licensed to sell intoxicating liquor at retail, and no licensee or any of his employees, agents or servants shall keep within said place any instruments or paraphernalia for the playing of games. No music, either instrumental or vocal, shall be permitted in any place licensed to sell intoxicating liquor at retail, nor shall any dancing be permitted therein.

WHOLESALE DEALERS

1022. Intoxicating Liquor—Sale of at Wholesale Prohibited—License—License Fee—Bond—Penalty.] § 15. It shall be unlawful for any person in said city, either by himself, agent, servant or employee, or for any agent, clerk, servant, employee or other person to sell at wholesale, in any quantity whatever, any intoxicating liquor, without first having obtained a "Wholesale Liquor Dealer's License," which said license shall be subject to all the conditions and restrictions in this article hereinbefore or hereinafter provided which are not expressly limited to apply only to places where intoxicating liquors are sold at retail. The charge for such license

shall be two hundred dollars per year, which shall be payable quarterly in advance and shall be subject to all the provisions of section eight of this article. The applicant for any "Wholesale Liquor Dealer's License" shall file the bond or bonds required in section five hereof and said bond or bonds shall be subject to all the provisions of said section. Any person violating any of the provisions of this section, whether principal, clerk, servant or employee, shall upon conviction forfeit and pay not less than fifty dollars nor more than two hundred dollars for each offense.

DRUGGISTS.

1023. Intoxicating Liquor—License to Druggists to Sell for Certain Purposes—Application—Record—Report—Bond.] § 16. The council, in its discretion, may grant to any druggist or registered pharmacist authorized by the laws of the State of Illinois to keep and conduct a drug store or pharmacy, a license to sell intoxicating liquor for medicinal, mechanical, sacramental and chemical purposes only, not to be drunk on the premises under any circumstances, and all such druggists or registered pharmacists shall strictly comply with the following regulations:

He shall first file an application in writing with the City Clerk of the City of Bloomington requesting such permit to be issued to him, stating the full name of the person or persons desiring such permit, that he is a druggist or registered pharmacist, the actual location of the place where such selling of intoxicating liquor is to be carried on, that such place is a bona fide pharmacy or drug store and will be conducted and kept as such.

The said druggist or pharmacist shall keep a true and exact record of every sale of intoxicating liquor made by him, or in or about his place of business, to all persons whomsoever, the date of such sale, the name of purchaser, his residence, stating the street and house number, if there be such, or otherwise designating the place of residence, the quantity and kind of such liquor, the purpose for which the same is sold, the name of the physician giving the prescription and the date of such prescription, which said prescription he shall keep on file at his place of business for the space of two full years.

The said book and all physician's prescriptions shall be open for the full and free inspection of the police and all public officers, elected and appointed, and their deputies, and also by the public generally, during business hours, and said book may be taken up at any time by the Chief of Police of said city and shall be replaced by said druggist or pharmacist with another book, in which substituted book the same record shall be kept.

All druggists to whom the permit provided for in this section may be issued, shall upon the first Monday in January and July of each year, file in the office of the City Clerk a report of all entries made in the register of sales herein provided for, since his last report. This report shall be subscribed and sworn to as correct by said druggist, and shall contain the affidavit of the said druggist that he has not sold or given away either by himself, clerk or agent, any liquors other than is stated in said report. Any druggist failing to comply with this provision relative to the filing of a

report and affidavit shall be deemed guilty of a misdemeanor, and upon conviction thereof, be fined not less than twenty dollars nor more than one hundred dollars for each offense.

Every application for a license under this section shall be accompanied by a bond in the penal sum of five hundred dollars, with sufficient surety, to be approved by the council, payable to said city, and conditioned that the licensee will strictly obey and keep all the provisions of this article. The charge for said license shall be ten dollars per year. All licenses issued under this section shall expire on the first day of May of each year, and a fractional part of a year shall be charged for the same as a whole year.

1024. Druggists—Requirements to be Complied With Before Each Sale by.] § 17. No druggist or pharmacist to whom a permit to sell intoxicating liquor shall have been issued shall sell any such liquor within the City of Bloomington for medicinal purposes except upon a written prescription, written within the said corporate limits of said city by a duly licensed physician residing and practicing his profession therein, which said prescription shall contain the name and quantity of the liquor prescribed, the name of the person for whom prescribed, the day on which the prescription was written and the directions for use of the liquor so prescribed. No druggist or pharmacist, as aforesaid, shall sell such liquor more than once on any one prescription, or permit any such liquor to be drunk on the premises under any circumstances whatever.

No druggist or pharmacist, as aforesaid, shall sell any such liquor for sacramental purposes except to a minister or official of a church or religious society and then only upon the written application of the governing body of such church or society, which application shall be personally presented by the said minister or official who is personally known to such druggist or pharmacist to be such.

No druggist or pharmacist shall sell any such liquor for mechanical or chemical purposes except to a person known to such druggist or pharmacist not to be a minor or a person in the habit of getting intoxicated, and then only upon the written application personally presented by such person.

All applications provided herein for the sale of liquor for sacramental, mechanical and chemical purposes shall be written in ink in the hand writing of the purchaser, addressed to such drug store or pharmacy, signed and dated, and shall state the kind and quantity of liquor required and the purpose for which it is to be used, which said application shall be preserved by said druggist or pharmacist for two full years, and shall be open to the inspection of the public at all times during business hours.

1025. Penalty.] § 18. Any druggist or pharmacist who, not having the permit herein provided for, shall sell any intoxicating liquor in the City of Bloomington shall forfeit and pay a fine of not less than fifty dollars nor more than two hundred dollars for each offense; and any druggist or pharmacist who, having been granted a permit as herein provided, shall violate any of the provisions of this article, shall forfeit and pay a fine of not less than fifty dollars nor more than two hundred dollars.

Whoever shall make any false statement as to the purpose for which the intoxicating liquor is to be used, or give a fictitious name or address, or make any other false statement in any such application, shall, for each offense, upon conviction thereof, be fined not less than twenty-five dollars nor more than two hundred dollars.

1026. Physicians—False Prescriptions by—Penalty.] § 19. It shall be unlawful for any physician to give a prescription to any person to enable him or her to get any intoxicating liquor within said city for any purpose other than a bona fide case of sickness, or to falsely date any such prescription, and any physician so offending shall, upon conviction thereof, be fined not less than twenty-five dollars nor more than two hundred dollars for each offense.

1027. Labels on Bottles.] § 20. Every druggist or pharmacist who shall sell any intoxicating liquor under the provisions of this article shall, upon making such sale, and before the delivery thereof, securely paste a label on the bottle or other receptacle containing such liquor, which label shall contain the name of the druggist or pharmacist making such sale, the date of such sale and the amount and kind of liquor so sold.

GENERAL PROVISIONS

1028. Intoxicating Liquor Defined.] § 21. The phrase, “intoxicating liquor” or “liquor” as used herein shall include all distilled, spirituous, vinous, fermented, mixed and malt liquors.

1029. Licenses—How Executed.] § 22. All licenses granted under the provisions of this article shall be signed by the Mayor, attested under the seal of the city by the City Clerk and countersigned by the Commissioner of Accounts and Finances, and no such license issued in any other manner shall be valid. The fee for such license shall be payable to the Commissioner of Accounts and Finances.

1030. Clerk to Report Expirations, etc.] § 23. It shall be the duty of the City Clerk to report to each regular meeting of the council the names of all persons whose licenses issued under this article have expired or have been revoked.

1031. Penalty.] § 24. Where no specific penalties are imposed herein for violation of any of the provisions of this article, the offender, when convicted, shall be subject to a fine of not less than twenty-five dollars nor more than two hundred dollars.

1032. Revocation of License.] § 25. In addition to the penalties hereinbefore imposed for the violation of this article, any of the licenses issued hereunder, whether Retail Liquor Dealer’s License, Wholesale Liquor Dealer’s License or Druggist’s License, shall be subject to revocation by the Mayor or by a majority of the council, and in the event of revocation of any such license by either the Mayor or the majority of the council there

shall be no appeal from said revoking authority to the other revoking authority. Said revocation may be made in the discretion of the said Mayor or of the said majority of the council, and the cause for the same need not be stated, the acceptance of a license of any sort under this article constituting an agreement between the parties to the said license that said revocation may be in the discretion of such Mayor or majority of the city council without cause being stated, and the said acceptance of the said license shall further constitute an agreement that said revocation without stating said cause shall give to the licensee no right to recover back from the City of Bloomington the unearned or pro rata portion of license fee at the date of said revocation.

Upon any such revocation of license, no further license for the sale of intoxicating liquor shall be granted by the City of Bloomington to such licensee at any future time, nor shall a license for the selling of intoxicating liquors at retail be granted to any person for such location within six months from said revocation. In the event of the revocation of any such license, as aforesaid, the license and all privileges thereunder shall terminate absolutely upon notice of said revocation being left by the City Marshal or other police officer at the bar or place of business of the licensee and said licensee after such service of notice shall stand in the same position as if he had not taken out any license.

1033. Pleading and Complaints—Evidence.] § 26. In all prosecutions under this article it shall not be necessary to state the kind of liquor sold, nor to describe the place where sold, nor to show the knowledge of the principal to convict for the acts of any agent or servant, nor to state the name of any person to whom any liquor was sold. The issuance of an Internal Revenue Special Tax stamp or receipt by the United States to any person as wholesale or retail dealers in liquors or in malt liquors shall be prima facie evidence of the sale of intoxicating liquor by such person at such place or at any place of business of such person within the city where such stamp or receipt is posted at the time charged in any suit or prosecution under this article, if such time is within the life of such receipt or stamp.

1034. Shifts and Devices.] § 27. The giving away or delivery of any intoxicating liquors for the purpose of evading any of the provisions of this ordinance, or the taking of orders or the making of agreements at or within the said city for the sale or delivery of any intoxicating liquor, or any other shift or device to evade any provisions of this article, shall be held to be an unlawful selling.

1035. Invalid Portions Not to Affect Remainder.] § 28. The invalidity of any part of this article shall not affect the validity of any other part thereof which can be given effect without such invalid part.

ARTICLE XXXIII.

SCAVENGERS.

Section.		Section.	
1036.	Scavengers—Must be Licensed.	1044.	Signs on Scavenger Wagons.
1037.	License Fee—Bond.	1045.	Offensive Vault—Notice to Owner — Work Done by City—Expense How Paid —Penalty.
1038.	Unlicensed Work—Penalty.	1046.	Penalty.
1039.	Odorless Machine — Approval of — Compensation—Penalty.	1047.	Day Scavenger—License—Fee.
1040.	Permit Required—Penalty.	1048.	Violations of Ordinances and Regulations by —Penalty.
1041.	Permit—Contents of.	1049.	Penalty.
1042.	Scavenger to Make Report —Penalty.		
1043.	Time of Opening Vaults—Disposition of Contents—Penalty.		

1036. Scavengers—Must be Licensed.] § 1. The Mayor may from time to time grant licenses to any person, company or corporation to engage in the business of emptying, cleaning or removing the contents of privy vaults, cesspools or sinks, and every such person, company or corporation engaged in such business shall be deemed a night scavenger within the meaning of this article.

1037. License Fee—Bond.] § 2. Every person, company or corporation applying for such license shall before the same issues pay to the Commissioner of Accounts and Finances the sum of five dollars per annum for each and every wagon used by such person for scavenger work, and execute a bond with not less than two sureties, to be approved by the council, conditioned that said scavenger will comply with the provisions of this article, and the ordinances of the city which are in force at the time of the issuance of said license or may afterward be passed by the council, touching said occupation, and will also comply with and obey the directions and regulations of the Commissioner of Public Health and Safety and his agents made in pursuance of law.

1038. Unlicensed Work—Penalty.] § 3. No person, company or corporation within the City of Bloomington shall empty, clean or remove the contents of any privy vault, cesspool or sink, or engage in the business of night scavenger, without having first obtained a license so to do. Any person violating the foregoing provisions of this section shall forfeit and pay not less than five dollars nor more than twenty-five dollars for each offense: *Provided*, that the owners, occupants or agents of any premises upon which vaults are located within the city limits desiring to clean and

remove the contents thereof themselves, without the aid of night scavengers, may be allowed to do so upon the written permission of the Commissioner of Public Health and Safety, and then only in the manner directed in such permit.

1039. Odorless Machine—Approval of—Compensation—Penalty.]

§ 4. It shall be unlawful for any person, firm or corporation to empty any privy vault, sink, cesspool or other receptacle of filth located in said city, except with an odorless machine, apparatus or process which has been approved by the Board of Health by a certificate in writing issued to the person, firm or corporation proposing to engage in said business, and such certificate must be presented to the Mayor before any license shall be issued for said business; any person, firm or corporation owning or operating said odorless machine, apparatus or process shall be allowed a rate not exceeding five dollars per cubic yard for all matter taken from such privy vaults, sinks or cesspools, and shall be required to deodorize and disinfect such vaults, sinks or cesspools. Any violation of the provisions of this section shall subject the offender to a fine of not less than ten dollars or more than fifty dollars.

1040. Permit Required—Penalty.] § 5. It shall be unlawful to remove or cause to be removed the contents of any privy vault, cesspool or sink without first having obtained a permit from the Commissioner of Public Health and Safety. Any person, company or corporation violating this provision shall upon conviction be subject to a penalty of not less than five dollars nor more than twenty-five dollars for each offense.

1041. Permit—Contents of.] § 6. Every such permit shall give the name of the scavenger, describe the premises where the work is to be done, designate the hour when such work may be commenced, and when, if not finished, it shall be suspended, and state where the contents thereof shall be deposited.

1042. Scavenger to Make Report—Penalty.] § 7. Every scavenger shall make return to the Commissioner of Public Health and Safety of every permit issued to him within two days after the work shall have been performed, certifying to the number of yards or loads removed from the vault or vaults designated in such permit, and the place where the same was deposited. Every person violating the provisions of this section shall be subject to a penalty not to exceed ten dollars for each violation thereof.

1043. Time of Opening Vaults—Disposition of Contents—Penalty.] § 8. No privy vault, cesspool or sink shall be opened, nor the contents thereof disturbed or removed between the hours of five o'clock a. m. and ten o'clock p. m., of any day, except the same be done by odorless process approved by the Board of Health, nor shall such contents be deposited or buried within the city, except upon the written permission of the Commissioner of Public Health and Safety, and in such manner and place as

he shall therein direct. Any person, company or corporation engaged in such business who shall violate the directions of the Commissioner of Public Health and Safety contained in any such permit shall immediately forfeit his license, and shall also be subject to a penalty of not less than ten dollars nor more than one hundred dollars.

1044. Signs on Scavenger Wagons.] § 9. Scavengers who engage in the business of removing the contents of privy vaults, cesspools or sinks shall cause to be painted on the sides of their wagon box used in such business the words, "Licensed Scavenger," and immediately beneath such words shall be painted the number of their license. Such words and figures shall be painted on all such wagon boxes in large letters and figures and in such manner as to render them most conspicuous, and the number to be used shall be given in the license.

1045. Offensive Vault—Notice to Owner—Work Done by City—Expense How Paid—Penalty.] § 10. Whenever in the opinion of the Commissioner of Public Health and Safety any privy vault, cesspool or sink shall be offensive and need cleaning, it shall be his duty to notify the owner, agent or occupant of the premises to which any such vault belongs, to cleanse the same within the time and in the manner set forth in said notice, and unless the person so notified shall comply within the time and in the manner mentioned in said notice, it shall be the duty of said officer to cause said vault to be cleaned by one or more of the city scavengers aforesaid, and any person so failing to comply with such notice shall on conviction be subject to a fine of not less than ten dollars nor more than fifty dollars for each offense, and in addition thereto shall be liable to the city for the expense of such cleaning.

1046. Penalty.] § 11. Any person who shall engage in business as a night scavenger, or who shall undertake to remove the contents of any privy vault, cesspool or sink within the city without a license or permit, as aforesaid, shall on conviction thereof be subject to a penalty of not less than ten dollars nor more than fifty dollars for each offense, and any night scavenger, as aforesaid, and any owner, agent or occupant, as aforesaid, acting under license or permit, as aforesaid, who shall violate the terms of said permit or refuse or fail to comply with any order or direction of the Commissioner of Public Health and Safety, or his agents, or who shall violate any of the provisions of this article, where no other penalty is prescribed, shall be subject to a penalty of not less than five dollars nor more than fifty dollars for each offense, and any scavenger aforesaid shall also at the discretion of the Mayor of the city forfeit his license.

1047. Day Scavenger—License—Fee.] § 12. No person shall engage in the business or employment of day scavenger without first having obtained a license so to do, which licenses may be granted by the Mayor upon payment to the Commissioner of Accounts and Finances by the applicant a fee of four dollars per year for each wagon or other means of conveyance used for such scavenger work: *Provided*, that any person,

firm or corporation holding a license as night scavenger shall not be required to take out any additional license for engaging in the business or employment of day scavenger.

1048. Violations of Ordinances and Regulations By—Penalty.]

§ 13. Every person so licensed as day scavenger, as aforesaid, who shall in the conduct of his business violate any of the ordinances of the city regulating his business, or who shall in the conduct of such business refuse or fail to comply with the rules and regulations of the health department, shall, for each offense, be subject to a penalty of not less than five dollars nor more than fifty dollars, and, upon conviction, his license may be forfeited, in the discretion of the Mayor.

1049. Penalty.] § 14. Any person, firm or corporation violating any of the provisions of this article, where no other penalty is provided, shall be fined not less than five dollars and not more than fifty dollars.

ARTICLE XXXIV.

SEAL.

Section.

1050. Description, etc., of.
1051. Facsimile of Seal.

Section.

1052. Custody—Use of.

1050. Description, etc., of.] § 1. A seal or disc in a circular form, with the words "City of Bloomington, Illinois" on the outer circle, and in the interior and center of said circle the word "Seal," shall be the seal of the City of Bloomington, to be used in all cases that have been or shall hereafter be provided by the laws of the United States, the laws of the several respective states of the United States, and the ordinances of the said City of Bloomington, and in all cases in which by laws and customs of corporations it is necessary to use a seal by a corporation.

1051. Facsimile of Seal.] § 2.



1052. **Custody—Use of.]** § 3. The city seal shall be and remain in the custody of the City Clerk of said city, to be used by the clerk and the Mayor of said city as is provided in this article.

ARTICLE XXXV.

SECOND-HAND DEALERS AND KEEPERS OF JUNK SHOPS.

Section.		Section.	
1053.	Second-hand Dealers—License Required.	1063.	Bond.
1054.	License — How Granted — Fee.	1064.	Purchase by—Prohibited—When.
1055.	Bond.	1065.	Transportation of Waste Paper, etc.—Manner of—Penalty.
1056.	Record of Purchases—Penalty.	1066.	Record of Purchases—Penalty.
1057.	Report to Police Department.	1067.	Report to Police Department—Permit for Collection of Junk.
1058.	Minors — Purchase from Prohibited—Penalty.	1068.	Minors — Purchase from Prohibited — Hours of Business.
1059.	Pawnbrokers—License Not to Issue to.	1069.	Removal of Place of Business.
1060.	License Revocable.	1070.	License—Not Transferable.
1061.	Junk Dealers—Must Have License—Place of Business.	1071.	Penalty.
1062.	License—How Granted—Fee.		

1053. **Second-hand Dealers—License Required.]** § 1. No person shall use, exercise or carry on the trade or business of a dealer in second-hand furniture, household goods or other articles without being first specially licensed for such business, nor shall any person so licensed as aforesaid carry on any such trade or business at any other place within the city than at the place designated in such license.

1054. **License—How Granted—Fee.]** § 2. The Mayor shall, from time to time, grant licenses to such persons as shall produce to him satisfactory evidence of good character, to exercise and carry on the business of dealing in the purchase and sale of second-hand furniture, clothes or other articles upon payment by the person licensed to the Commissioner of Accounts and Finances of a license fee of five dollars, and all licenses granted under the provisions of this section shall be for the term of one year only.

1055. **Bond.]** § 3. Every person making application for such a license shall before the same is granted enter into a bond to the City of Bloomington, in the sum of five hundred dollars, with two or more sureties

to be approved by the council, conditioned for the due observance of all ordinances of the City of Bloomington that then may be in force, or thereafter may be passed, respecting dealers in second-hand articles.

1056. Record of Purchases—Penalty.] § 4. Every such dealer shall provide and keep a book in which shall be entered in ink in the English language at the time of any purchase, the date and time of the purchase, an accurate description of the article so purchased, the price paid therefor, and the name and place of residence of the person or persons from whom such purchase was made. Every such book shall at all reasonable times be open to the inspection of the Mayor and any member of the police department. No entry made in any such book shall be erased, obliterated or defaced. Any person violating any of the provisions of this section shall be subject to a fine of not less than ten dollars nor more than one hundred dollars, and in addition to such penalty the Mayor may revoke the license of any person convicted under this section.

1057. Report to Police Department.] § 5. It shall be the duty of every person so licensed to make out and deliver to the Chief of Police every day before the hour of twelve o'clock m. a report of all articles bought during the preceding day, together with the hour when the same were purchased, the amount paid for the same, a description of the said articles, a description of the person or persons from whom the same were purchased, and the place of residence of said person or persons.

1058. Minors—Purchase from Prohibited—Penalty.] § 6. It shall not be lawful for any person having a license from said city to keep a second-hand store to purchase or receive from minors under the age of sixteen years, without the written consent of their parents or guardians, any article of property whatever; and any person violating this section shall forfeit and pay not less than twenty-five dollars nor more than one hundred dollars for each offense; and the magistrate before whom the trial is had may, in his discretion, enter up as a part of the judgment the forfeiture of the license.

1059. Pawnbrokers—License Not to Issue to.] § 7. No person so licensed as aforesaid shall, during his license as a dealer in second-hand goods, receive or hold a license to carry on the business of pawnbroker or a keeper of a junkshop; and no keeper of a junk shop shall, during his license as such, receive or hold a license to carry on the business of dealer in second-hand articles or as a pawnbroker.

1060. License Revocable.] § 8. Every license granted or to be granted to any dealer in second-hand articles, or keeper of a junk shop, may be revoked by the Mayor on satisfactory cause appearing to him for so doing.

1061. Junk Dealers—Must Have License—Place of Business.] § 9. No person shall use, exercise or carry on the business of a keeper of a junk shop for the purchase and sale of junk, rags, old rope, paper or bagging,

old iron, brass, copper, tin, slush, lead or other articles of like nature, without being first specially licensed for such purpose; nor shall any person or persons so licensed as aforesaid carry on any such business at any other house or place than at the place designated in such license.

1062. License—How Granted—Fee.] § 10. The Mayor may from time to time grant licenses to such persons as he may deem proper, to keep what are commonly called junk shops as above defined, upon payment by the person licensed to the Commissioner of Accounts and Finances of a license fee of twenty-five dollars per annum, which said license shall be granted for the term of one year only.

1063. Bond.] § 11. Every person making application for such a license shall, before the same is granted, give bond in like manner, in like amount and upon the same terms and conditions as is required of second-hand dealers under section three of this article.

1064. Purchase by—Prohibited—When.] § 12. No keeper of a junk shop shall purchase from any one except from plumbers and peddlers holding license as such from the City of Bloomington, or from the owners of the buildings from which the material is taken, any lead pipe, faucets, boilers or other plumbing material.

1065. Transportation of Waste Paper, etc.—Manner of—Penalty.] § 13. No keeper of a junk shop, or any employee or servant thereof, or any other person, shall collect or transport in the City of Bloomington any waste paper, rags or other material likely to fall off or be blown about by the wind except in a wagon so covered that such paper, rags or other material cannot fall off or be blown therefrom, or in sealed bags or boxes that will accomplish the same purpose. All such wagons, bags and boxes shall be so constructed and maintained that such paper, rags and other material cannot drop through the sides or bottom. Any person violating any of the provisions of this section shall be fined not less than five dollars nor more than twenty-five dollars for each offense.

1066. Record of Purchases—Penalty.] § 14. Every keeper of a junk shop shall provide and keep a book in which shall be entered in ink in the English language at the time of any purchase a description of the article so purchased, the amount paid for the same, the time said purchase was made, the name and place of residence of the person from whom such purchase was made. Every such book shall at all reasonable times be open to the inspection of the Mayor and any member of the police department: *Provided*, that the requirements of this section shall not extend to the purchase of old rags, and waste paper by such dealers. No such entry made in said book shall be erased, obliterated or defaced. Any person violating the provisions of this section shall be subject to a fine of not less than ten dollars nor more than one hundred dollars, and in addition to such penalty the Mayor may revoke the license of any person convicted under this section.

1067. Report to Police Department—Permit for Collection of Junk.]

§ 15. It shall be the duty of every person licensed to keep a junk shop to make out and deliver to the Chief of Police every day before the hour of twelve o'clock m. a report of all articles bought during the preceding day, together with the hour when the same were purchased, the amount paid for the same, a description of the said articles, a description of the person or persons from whom the same were purchased, and the place of residence of said person or persons.

No person, either by himself or his agent, servant or employee, shall go from place to place buying or collecting rags, old rope, paper, bagging, old metal or whatever else is commonly known as junk, without first securing from the Chief of Police a permit so to do, and any person so doing, either by himself, his agent, servant or employee, without such permit, shall be fined for each offense not less than five dollars nor more than fifty dollars. Any such permit to an employer must specify the name or names of those who are to do such buying or collecting before it shall be a protection either to the employer or his employee.

1068. Minors—Purchase from Prohibited—Hours of Business.]

§ 16. No keeper of any junkshop, or the agent, clerk or servant of such keeper, shall purchase any article, goods or thing whatsoever, except rags and waste paper, of any minor under the age of sixteen years. And no keeper of any junkshop shall purchase in the way of his or her business, any goods, articles or thing whatsoever from any person or persons whomsoever between the hours of nine o'clock p. m. and seven o'clock a. m. of any day.

1069. Removal of Place of Business.] § 17. In case any person so licensed as aforesaid, either as a dealer in second-hand articles or as keeper of a junkshop, shall move his or her store or place of business from the place designated in said license, he or she shall immediately thereupon give notice to the Mayor of such removal, and the number of his or her place of business shall thereupon be changed by the City Clerk to correspond to such place of removal.

1070. License—Not Transferable.] § 18. No license granted under the provisions of any section of this article shall be transferable, nor shall it be held or be construed to authorize the conduct of the business of second-hand dealers or keepers of junkshops in any other manner than is prescribed in this article.

1071. Penalty.] § 19. Whoever shall violate any of the provisions of this article, where no other penalty is provided, shall upon conviction, be subject to a penalty of not less than ten dollars nor more than one hundred dollars for each offense.

ARTICLE XXXVI.

SEWERS AND DRAINS.

Section.		Section.	
1072.	Steam — Discharge Into Sewer Prohibited.	1075.	Street Cleaning — Gutters to be Freed.
1073.	Kitchen Slops—Water Closets—Water Supply.	1076.	Police—Duty in Enforcement of Article.
1074.	Butcher's Offal — Garbage, etc.—Injury to Sewer or Drain—Penalty.	1077.	Excavation Around Sewer — Permit—Penalty.
		1078.	Penalty.

1072. Steam—Discharge Into Sewer Prohibited.] § 1. No connection with or opening into any sewer or drain of the City of Bloomington shall be permitted for the conveyance or discharge into said sewer or drain of steam from any boiler or engine, or from any manufactory or building in which steam is either generated or used.

1073. Kitchen Slops—Water Closets—Water Supply.] § 2. All connections with any of the sewers or drains used for the purpose of carrying off animal refuse from water closets or otherwise, and slops of kitchens, shall have fixtures for a sufficiency of water to be so applied as to properly carry off all such matter.

1074. Butcher's Offal—Garbage, etc.—Injury to Sewer or Drain—Penalty.] § 3. No butcher's offal, garbage, dead animals or other obstructions of any kind whatsoever, shall be placed, thrown or deposited in any receiving basin or manhole of any sewer or drain. Any person injuring, breaking or removing any part of any sewer or drain, or in any manner obstructing the mouth or outlet of any sewer or drain, shall be subject to a penalty of not less than ten dollars nor more than one hundred dollars for each offense.

1075. Street Cleaning—Gutters to be Freed.] § 4. It shall be the duty of any city officer having charge of the sweeping and cleaning of the streets of the city, to see that the gutters are thoroughly cleaned and scraped out, in order that no refuse or other obstruction may be carried into any of the receiving basins of any of said sewers or drains.

1076. Police—Duty in Enforcement of Article.] § 5. It is hereby made the duty of the police patrolmen of the city, or any other member or officer of the police department, to be vigilant in the enforcement of the provisions of this article, and at once to report any violations thereof to the Commissioner of Streets and Public Improvements. And any member of the police department shall, on observing or on being informed of the violation of any of the provisions of this article by any person or persons, report at once such act to the Commissioner of Streets and Public Improve-

ments. And it is hereby made the further duty of any member of said police department, on being informed or upon observing any person or persons making any opening or excavation in any of the public streets, alleys or other public grounds of the city, to require such person or persons to exhibit his or their authority or permission so to do, and if none has been obtained from the proper officer by the person or persons making such opening or excavation, or if such person or persons shall refuse to exhibit his or their authority or permit, such officer immediately shall report the same to the Commissioner of Streets and Public Improvements.

1077. Excavation Around Sewer—Permit—Penalty.] § 6. Any person who shall uncover or excavate under or around any of the brick or pipe sewers of the city, for any purpose whatever, without first having the written authority so to do of the Commissioner of Streets and Public Improvements, shall upon conviction be subject to a penalty of not less than five dollars nor more than one hundred dollars for each offense, which said penalty shall be recoverable against the person or persons, or their employees, so uncovering or excavating under or around said sewers or drains as aforesaid.

1078. Penalty.] § 7. Whoever shall violate any of the provisions of this article, where no other penalty is provided, shall upon conviction be subject to a penalty of not less than five dollars nor more than fifty dollars for each offense.

ARTICLE XXXVII.

SIDEWALKS.

Section.	Section.
1079. Sidewalk Contractors—Bond.	1086. Dangerous—To be Removed.
1080. Permit Required—Duty of City Clerk.	1087. Sidewalks—Use of Space Beneath.
1081. Penalty.	1088. Open Grating — Vault or Cellar Door—Penalty.
1082. Sidewalks — Built Under City's Supervision — Grades—Private Use of —Penalty.	1089. Receiving or Delivering Merchandise—Penalty.
1083. Sidewalks — Material — Specifications—Penalty.	1090. Sidewalk, Curbing, Gutters, etc.—Injury to—Penalty.
1084. Sidewalks—Openings in—Vaults — Width — Penalty.	1091. Injury to by Riding or Driving Upon, etc.—Penalty.
1085. Steps, Platforms or Fixtures, etc.—Prohibited—Penalty.	1092. Obstructions — Coal, Firewood, etc.—Penalty.
	1093. Public Auction in — Obstruction of—Penalty.

Section.		Section.	
1094.	Persons Not to Obstruct—Penalty.	1098.	Signs on Sidewalks—Penalty.
1095.	Pots on Sills, etc.—Protection from Falling—Penalty.	1099.	Merchandise on Sidewalk—Penalty.
1096.	Awnings — Obstruction by —Penalty.	1100.	Riding and Roller Skating on Sidewalks—Penalty.
1097.	Conducting Water from Buildings on—Penalty.	1101.	Removal of Obstruction.

1079. Sidewalk Contractors—Bond.] § 1. Every person, firm or corporation engaging in the business of constructing public sidewalks shall before engaging in such business file with the city a bond in the sum of one thousand dollars to assure said city and property owners that such sidewalks will be constructed in strict accordance with the requirements of the city for such work, and that such work shall be so constructed as to remain in safe condition and good repair, natural wear excepted, for the period of five years from the completion of such work.

Such bond shall be in effect for and during the fiscal year in which filed, and shall cover all work done during the fiscal year in which filed. Persons, firms or corporations desiring to continue in such business shall renew such bond on the first day of May of each year.

The bond herein provided to be given shall be executed by the person, firm or corporation desiring to engage in such business and by two responsible sureties, or by some surety company, such sureties to be approved by the council upon the recommendation of the Board of Local Improvements.

1080. Permit Required—Duty of City Clerk.] § 2. All persons, firms or corporations so engaged in such business shall apply to and receive a permit from the Commissioner of Streets and Public Improvements for the construction of any public sidewalk, and no permit shall issue to any such person, firm or corporation for the construction of any sidewalk until such person, firm or corporation shall comply with the provisions of this article. To aid in carrying out this section the City Clerk shall file with the City Engineer the names and addresses of all persons, firms or corporations filing bonds as herein required.

1081. Penalty.] § 3. Any person, firm or corporation constructing or attempting to construct any public sidewalk without first complying with the foregoing sections of this article shall be subject to a penalty of not less than ten dollars and not exceeding fifty dollars for each offense.

1082. Sidewalks—Built Under City's Supervision—Grades—Private Use of—Penalty.] § 4. The whole work of grading and laying down sidewalks, whether done by the city or the owners of the respective lots or parcels of land abutting upon the streets, shall be done under the

supervision and subject to the approval of the Commissioner of Streets and Public Improvements. The city council shall establish the grades for all sidewalks, and the same shall conform, as nearly as may be, to the grades of their respective streets. Where no permanent grade is established the City Engineer may give a temporary grade, but the giving of such temporary grade shall in no way bind the city or make it liable for any expense of changing the walk if a permanent grade different from said temporary grade later is established. He shall, when requested by any person desiring to build a sidewalk, stake out the ground thereof without charge to such person; and no person shall construct or lay or cause to be constructed or laid any sidewalk where no grade has been established by the city council without first having obtained a grade therefor from the city engineer, or contrary to any grade given by said engineer; nor shall construct or cause to be constructed any sidewalk contrary to any grade which may have been or may hereafter be established by the city council; and no part of any sidewalk shall be taken for private use by lowering or cutting down the same next to the building fronting thereon; or by railing off the same by an iron or other railing or otherwise shutting off the public from using the same, but said sidewalk shall be built clear up to the lot line in a uniform grade as herein before provided. Whoever shall violate any of the provisions of this section shall be subject to a penalty of five dollars for the first offense, and to an additional penalty of one dollar for each day after the first conviction that he shall continue such violation.

1083. **Sidewalks—Material—Specifications — Penalty.]** § 5. All sidewalks shall hereafter have an incline toward the gutter of one-half inch in two feet, and shall be constructed of concrete made of gravel or crushed stone and Portland cement in the proportions prescribed in plans and specifications for such work by the City Engineer, and all sidewalks hereafter constructed shall be built according to the plans and specifications for sidewalks to be prepared and kept on file in the office of the City Engineer: *Provided*, that where there is at present a brick sidewalk made of good hard brick and the same is in a reasonably safe and satisfactory condition, and by reason of the City's changing the grade of the street or sidewalk it becomes necessary to raise or lower such sidewalk, that the owners of the abutting property may replace a brick sidewalk in such case, but not otherwise. All violations of this section shall be punished by a fine of not less than ten dollars and not more than fifty dollars, and every day such violation shall continue after the first conviction shall be a separate offense.

1084. **Sidewalks—Openings in — Vaults — Width — Penalty.]** § 6. Every aperture or opening in any sidewalk over any vault or coal hole shall be covered with a substantial iron grate or plate having a rough surface. The construction of all vaults and coal holes under sidewalks shall be subject to the direction and supervision of the Commissioner of Streets and Public Improvements. No person shall build or extend

any sidewalk beyond the established width, and no person shall insert any smooth piece of glass or metal in any sidewalk. Any person violating any of the provisions of this section shall be fined not exceeding ten dollars, and a further penalty of two dollars for each day he shall continue such violation after the first conviction.

1085. Steps, Platforms or Fixtures, etc.—Prohibited—Penalty.]

§ 7. No steps, platforms or other fixtures shall extend into or upon any sidewalk or alley in said city. No open cellar or basement way shall be permitted in any sidewalk or alley. Whoever shall violate or fail to comply with any of the requirements of this section shall be subject to a penalty of not less than three dollars nor more than twenty dollars for each offense, and to a further penalty of three dollars for each day he shall fail or refuse to comply therewith after the first conviction hereunder.

1086. Dangerous—To be Repaired.] § 8.

Whenever it shall be brought to the notice of the Commissioner of Streets and Public Improvements or the City Engineer that any sidewalks have become dangerous to the public safety he shall cause the same to be immediately repaired, and shall report his action to the city council at its next meeting thereafter. If the same is too far gone to be repaired he shall order the same to be taken up at once.

1087. Sidewalks—Use of Space Beneath.] § 9.

No person shall be allowed to use or occupy for vaults, areas or for any other purpose, the space beneath the streets, sidewalks, avenues, alleys or public places in the city.

1088. Open Grating—Vault or Cellar Door—Penalty.] § 10.

Any person who shall keep or leave open any cellar door or grating of any vault on any public highway or sidewalk, or suffer the same to be left or kept open, or place any obstruction thereon that will endanger the public travel, shall forfeit and pay a penalty of not less than twenty-five dollars nor more than two hundred dollars for each offense.

1089. Receiving or Delivering Merchandise—Penalty.] § 11.

No person, while receiving any goods, wares or merchandise, shall permit the same to remain on any sidewalk longer than two hours, and for this purpose he shall not occupy over four feet of the outer edge of the sidewalk in front of the place of business so receiving or delivering any such goods, wares, merchandise, etc. Any person violating the provisions of this section shall be liable to a penalty of not less than five dollars nor more than fifty dollars for each offense.

1090. Sidewalk, Curbing, Gutters, etc.—Injury to—Penalty.] § 12.

Any person or persons who shall injure or obstruct any gutter, pavement, curbing or sidewalk, or cause the same to be injured or obstructed, shall forfeit and pay a sum not less than one dollar nor more than fifty dollars for each offense.

1091. Injury to by Riding or Driving Upon, etc.—Penalty.] § 13. Any person who shall ride upon, over or across, or drive or pass over, along or across any improved or unimproved sidewalk, or any paved gutter, with any self propelled vehicle or any horse, mule, jack, team, wagon, dray, cart, sled, carriage or other vehicle, or with any timber or other material drawn by any animal, except at proper crossing places and where the alleys intersect the streets, shall, upon conviction, forfeit and pay not less than one dollar nor more than twenty-five dollars for each offense: *Provided*, that any occupant of any yard, lot or warehouse may have access to the same by placing in front thereof at his or her own expense, with the consent and direction of the Commissioner of Streets and Public Improvements, a temporary bridge or carriage way over the gutter, curbing and sidewalk in such manner as will preserve the same from injury and not obstruct it.

1092. Obstructions—Coal, Fire-wood, etc.—Penalty.] § 14. It shall be unlawful for any person in said city to throw, cast or place upon any sidewalk any stone, coal, coke or fire-wood, or to cut, split or saw any fire-wood upon any sidewalk; and any person convicted under this section shall forfeit and pay not less than one dollar nor more than ten dollars for each offense: *Provided*, that every person shall have the privilege of unloading his or her coal, fire-wood or other fuel in front of his or her house, shop or store, and outside of the sidewalk, in such manner only as will not obstruct the free passage of the street, alley or gutter, and the water along the same, and upon condition that the same shall be removed before the expiration of twelve hours from the time the same may be deposited.

1093. Public Auction in—Obstruction of—Penalty.] § 15. It shall be unlawful for any auctioneer or his agent or crier to sell or cry or offer for sale at public auction any articles, goods, wares or merchandise upon any street, alley, sidewalk or public ground. Any auctioneer or person convicted of a violation of this section shall forfeit and pay a sum not exceeding one hundred dollars for each offense, and on conviction for a second offense the Police Magistrate or jury trying the cause, in addition to the fine imposed, may in his or their discretion declare the auction license of the defendant forfeited, and such forfeiture shall be entered up as a part of the judgment.

1094. Persons Not to Obstruct—Penalty.] § 16. It shall be unlawful for any person or persons to occupy or encumber any sidewalk, street or alley in said city by standing, sitting or remaining upon the same so as to prevent or obstruct the free and convenient passage of persons along and across any of said streets, sidewalks or alleys, but all such persons shall disperse or move on at the request of any policeman; and any person violating this section, shall forfeit and pay not less than one dollar nor more than fifty dollars for each offense.

1095. Pots on Sills, etc.—Protection From Falling—Penalty.] § 17. It shall be unlawful for any person to place or keep on any window sill,

railing, balcony, porch or any other projection from any house or building standing upon or near to the line of any sidewalk, street, alley or other public place in the City of Bloomington, any earthen flower pot, wooden box or other article or thing whatever unless the same is securely and firmly fastened, or protected by proper railing so as to render it impossible for the same to fall, under a penalty of not exceeding ten dollars for each such offense.

1096. Awnings—Obstruction by—Penalty.] § 18. No part of any awning, or anything attached thereto, shall be less than seven feet from the sidewalk at its lowest point, and shall in no manner interfere with, obscure or obstruct the light of any public lamp; any and every person violating any of the provisions of this section shall on conviction forfeit and pay not less than five dollars nor more than one hundred dollars for every offense, and a like penalty for each day after the first conviction such violation shall continue.

1097. Conducting Water From Buildings on—Penalty.] § 19. No person owning, occupying or controlling any building in said city shall cause the pipes conducting the water from the eaves of the same to be so constructed as to spread the water over the sidewalks or upon any person passing along any sidewalk or alley; and any person failing to comply with the provisions of this section shall forfeit and pay not less than one dollar nor more than twenty-five dollars for each offense.

1098. Signs on Sidewalks—Penalty.] § 20. It shall be unlawful for any person, firm or corporation to place or maintain, or cause to be placed or maintained, any sign or fixture for advertising purposes, whether or not the same is stationary or movable, upon or in any sidewalk, street, alley or other public place in the City of Bloomington. Violations of this section shall subject the offender to a fine of not less than five dollars nor more than one hundred dollars for each offense, and each day any such sign or fixture shall so remain shall be considered a separate offense.

1099. Merchandise on Sidewalks—Penalty.] § 21. It shall be unlawful for any person to place upon, over or across, or to suspend upon, over or across any sidewalk, street or alley any vegetables, food products, fruits, berries, produce or any other articles of merchandise whatsoever for the purpose of storage, exhibition, sale or offering for sale. Any person violating any of the provisions of this section shall be subject to a fine of not less than five dollars nor more than fifty dollars for each offense, and each day that such violation shall continue after the first conviction shall constitute a separate offense and subject the offender to a like penalty for each of said days.

1100. Riding and Roller Skating on Sidewalks—Penalty.] § 22. It shall be unlawful for any person or persons to ride any bicycle, tricycle or other like conveyance or vehicle upon any public sidewalk in the City of Bloomington, or for any person over the age of twelve years

to use or operate any roller skates upon any sidewalk in said city, or to use any roller skate or similar device for locomotion upon any sidewalk, or to engage in roller skating upon any sidewalk in said city. Any person violating any of the provisions of this section shall forfeit and pay a fine of not less than three dollars nor more than twenty-five dollars for each offense.

1101. Removal of Obstruction.] § 23. The Mayor, commissioners and all public officers of the city are hereby authorized to cause any obstruction, encroachment, article or thing which may be in violation of the law or the provisions of this article, to be removed within a reasonable time after notice to the owner, agent or person in possession of the premises where such violation occurs, or after notice to the person causing any such obstruction. In case the owner, agent or person in possession of any such premises, or the persons causing such obstruction, cannot be found, then the City Engineer shall cause any such obstruction to be removed at once, and in addition to the penalty in this article prescribed, the person or persons causing such obstruction shall pay all costs and expenses of such removal. And in cases when notice has been given, the person or persons so notified, failing after a reasonable time to remove any such obstruction, shall be liable in a like manner as in cases where no notice is given.

ARTICLE XXXVIII.

SIGNS.

Section.	Section.
1102. Signs—Permit Required.	1107. Construction, Size, etc. —
1103. Application — Contents — Approval of.	Must be Approved by Superintendent of Buildings
1104. Permit — Issuance — Specifications May be Required.	—Prevention and Removal of Unlawful Signs.
1105. Fees.	1108. Existing Signs—Supervision of.
1106. Extension over Sidewalk, etc. —Supports.	1109. Injury to Signs.
	1110. Penalty.

1102. Signs—Permit Required.] § 1. No person shall erect, suspend or maintain any sign or display over any of the sidewalks, streets, alleys or other public places in the City of Bloomington without first making application and obtaining a permit in the manner hereinafter set forth: *Provided*, that the provisions of this article shall not apply to electric signs or displays.

1103. Application—Contents—Approval of.] § 2. The application herein required shall be made to the council by the person, firm or

corporation desiring to erect said sign or display, or his, their or its agent, and shall be in writing specifying accurately the weight, length, width and proposed location of said sign or display. No permit shall be issued except upon the approval of the said application by the council: *Provided*, that the council may in its discretion refer the matter of approving said application to the Commissioner of Public Health and Safety with power to act.

1104. Permit—Issuance—Specifications May be Required.] § 3.

The Commissioner of Public Health and Safety shall issue the permits herein provided for. Before issuing any such permit the Commissioner of Public Health and Safety shall have power to require the applicant to specify in writing in detail the manner of erection and construction which is proposed to be followed in the installation of said sign or display.

1105. Fees.] § 4. The applicant for a permit shall pay all fees for such permit, together with all fees for the inspection of such sign or display. The fee for such permit shall be one dollar.

1106. Extension Over Sidewalk, etc.—Supports.] § 5. No such sign or display hereafter erected shall extend more than four feet over any sidewalk, street, alley or other public place; nor shall any such existing sign or display be altered in such a manner that it will extend more than four feet over any sidewalk, street, alley or other public place. No such existing sign or display shall be replaced with a new one which violates the foregoing requirement. No such sign or display shall be supported at the outer end by posts or other supports extending downward or outward from said sign or display.

1107. Construction, Size, etc.—Must be Approved by Superintendent of Buildings—Prevention and Removal of Unlawful Signs.] § 6. The construction, size, shape, manner of suspension, supports and location of all such signs and displays shall be under the direction and supervision of the Superintendent of Buildings, and the same must meet with his approval. He shall have the power, under the supervision of the Commissioner of Public Health and Safety, to prevent the erection or cause to be removed any such sign or display hereafter proposed to be erected, or in the process of erection, or having been erected, and which will not or does not conform to the requirements of this article.

1108. Existing Signs—Supervision of.] § 7. All such signs and displays existing at the time of the passage of this ordinance must meet with the approval of the Superintendent of Buildings in the particulars specified in the last preceding section, and he shall have the power to cause the removal or alteration of any such existing sign or display which does not meet with his approval upon giving ten days notice thereof in writing. Any person, firm or corporation failing or refusing to remove or alter any such sign or display within the said ten days after receiving such notice shall be deemed guilty of a violation of this section, and each day such sign or display shall so remain shall be a separate offense.

1109. Injury to Signs.] § 8. It shall be unlawful for any person to obstruct, break, mutilate or in any way interfere with or injure any such sign or display, or any support or part by which the same is secured.

1110. Penalty.] § 9. Any person, firm or corporation violating any of the provisions of this article shall be fined not less than five dollars nor more than one hundred dollars for each offense.

ARTICLE XXXIX.

SLAUGHTER HOUSES, ETC.

Section.	Section.
1111. Slaughter Houses, etc. — License Required — Penalty.	1115. Slaughter Houses, etc. — Dwellings in Connection With Prohibited—Penalty.
1112. Application—Term of License—Fee.	1116. Slaughter Houses, etc. — Ventilation — Floors — Penalty.
1113. May Enter Premises—Inspection—Penalty.	1117. Slaughtering and Keeping—To be Done in Best Known Manner.
1114. Cleanliness and Sanitation—Penalty.	

1111. Slaughter Houses, etc.—License Required—Penalty.] § 1. It shall be unlawful for any person to slaughter any animal, or to conduct any slaughter house, packing house, render, tallow chandlery, bone factory, soap factory or tannery, or to engage in the manufacture or production of fertilizers or glue, or the cleaning or rendering of intestines, within said city and within a distance of one mile without the limits thereof, without first having procured a license for such business. Anyone violating the provisions of this section shall upon conviction be fined not less than ten dollars nor more than one hundred dollars for each day he carries on such business without a license.

1112. Application—Term of License—Fee.] § 2. All applications for such licenses shall be made in writing and shall specify the place, location and character of the business for which such license is desired. Such license shall be issued for the period of one year, and the fee shall be one dollar per annum, payable in advance.

1113. May Enter Premises—Inspection—Penalty.] § 3. The Commissioner of Public Health and Safety, the Inspector of Health and Food and any and all sanitary officers of the city shall be permitted a free entrance at all hours of the day or night to all buildings and premises used for any purposes mentioned in this article, and to free and unrestrained examination and inspection of all apparatus or utensils used in such business, the method of disposition of gases generated therein, all animals

slaughtered therein, and the meat of all such animals. Every refusal to allow the aforesaid inspection shall subject the offender to a fine of not less than ten dollars nor more than twenty-five dollars.

1114. Cleanliness and Sanitation—Penalty.] § 4. Every person owning, leasing or occupying any place, room or building where any animals have been or are killed or dressed, and every person owning, leasing or occupying any room, stable or yard where any such animals may be kept, and having power and authority to do so, shall cause such place, room, stable, building, yard and the appurtenances thereto to be thoroughly cleaned and purified, and all offal, blood, fat, garbage, refuse and unwholesome or offensive matter to be removed therefrom at least once in every twenty-four hours after the use thereof for any of the purposes herein referred to, and shall at all times keep all woodwork, except the floors and counters, in any such building or place aforesaid, thoroughly painted or whitewashed. Any person violating any of the provisions of this section shall forfeit and pay a fine of not less than ten dollars nor more than fifty dollars for each offense.

1115. Slaughter Houses, etc.—Dwellings in Connection With Prohibited—Penalty.] § 5. No building occupied wholly or in part for any of the purposes mentioned in the first section of this article, or any part of such building, or any building on the same lot, shall be occupied for a dwelling or lodging place without a special permit from the Commissioner of Public Health and Safety. Any person, being the owner or in charge of such premises, who shall permit the use thereof contrary to this section shall forfeit and pay a fine of not less than ten dollars nor more than fifty dollars, and every day such premises are permitted to be so occupied after the first conviction shall constitute a separate offense.

1116. Slaughter Houses, etc.—Ventilation—Floors—Penalty.] § 6. Every building used in whole or in part for any of the purposes mentioned in the first section of this article shall at all times be kept adequately and thoroughly ventilated; no blood shall be allowed to remain therein longer than twelve hours after the killing of the animal from which such blood came; the floors of such building on which any slaughtering is done shall be constructed so as not to absorb blood or any liquid matter, and shall be so arranged as to collect all liquid, and the same shall be disposed of in such a manner that it shall not become or be offensive. Violations of the regulations contained in this section shall subject the offender to a fine of not less than ten dollars nor more than fifty dollars for each offense.

1117. Slaughtering and Keeping—To be Done in Best Known Manner.] § 7. The keeping and slaughtering of all animals, and the preparation and keeping of all meat, fish, birds and fowls shall be accomplished in that manner which is or is generally reputed or known to be best adapted to secure and continue their safety and wholesomeness as food.

ARTICLE XL.

STEAM RAILROADS.

Section.		Section.	
1118.	Speed of Trains.	1129.	Street Crossings, etc.—Not to be Obstructed by Cars, etc., Longer Than Ten Minutes.
1119.	Lights on Trains, etc. — Where Placed.	1130.	Duty of Railroad Company as to Grades, Drains, Ditches, Sewers, Culverts and Crossings—Penalty.
1120.	Spark Catcher—On Engine.	1131.	Crossings, etc.—Failure to Repair on Notice—Liability.
1121.	Bells—When Shall be Rung.	1132.	Duty of Company to Pave, etc.—When.
1122.	Sign Board at City Limits.	1133.	Duty of—As to Sewers, Culverts, etc.
1123.	Cars on Street Crossings—Prohibited.	1134.	Exhaust from Cylinders not to be Open When Crossing Streets.
1124.	Flagmen—Gates on Streets, etc.—Who to Erect, etc.	1135.	Unnecessary Noises from Steam Whistles Prohibited.
1125.	Flagmen—Tenders of Gates —Duties.	1136.	Penalty.
1126.	Electric Lights — To be Maintained at Crossings.		
1127.	Gates, Flagmen and Electric Bells — Where Shall be Maintained — Hours of Service.		
1128.	Penalty.		

1118. Speed of Trains.] § 1. No railroad corporation shall, by itself, agents or employees, run any passenger train upon or along any railroad track within the corporate limits of the City of Bloomington at a greater rate of speed than fifteen miles an hour; nor shall any such corporation, by itself, agents or employees, run any freight car or cars upon or along any railroad track within said city at a greater rate of speed than ten miles an hour.

1119. Lights on Trains, etc.—Where Placed.] § 2. Every locomotive engine, railroad car or train of cars running either backward or forward in the night time on any railroad track in said city shall have and keep while so running a brilliant and conspicuous light on the front or advancing end of such locomotive, engine, car or train of cars.

1120. Spark Catcher—On Engine.] § 3. It shall not be lawful for any person to run or cause to be run any locomotive in said city without having placed upon the same a spark catcher or arrester of approved pattern, sufficient to prevent all accidents by fire from sparks of such locomotive; nor shall it be lawful for any person to run or cause to be run in said city any locomotive having the fire pan of the same down when so running.

1121. Bells—When Shall Be Rung.] § 4. The bell of each locomotive engine shall upon entering the corporate limits of said city be rung, and such bell shall be rung while such locomotive is in motion until such locomotive shall reach its destination in said city, and the bell of each locomotive leaving said city shall be rung immediately upon leaving the station or starting point, and shall continue to be rung while said locomotive is in motion until the said locomotive and train shall pass the corporate limits of said city; and when cars, trains or locomotives are being switched or moved on any railroad track the bell of the locomotive shall be rung: *Provided*, that the bells of locomotives shall not be rung while such locomotives are not in motion, and all unnecessary ringing of locomotive bells is hereby prohibited.

1122. Sign Board at City Limits.] § 5. Every railroad company operating any railroad within said city shall erect, and at all times keep up at the point of entrance of such railroad track into said city, a sign board indicating to the enginemen that speed must be slackened and the bell rung.

1123. Cars on Street Crossings—Prohibited.] § 6. It shall not be lawful for any locomotive, engine, tender, passenger car, freight car or any other railroad car whatever to stand upon any railroad track in said city opposite to or across any street, except while used in repairing any such track.

1124. Flagmen—Gates on Streets, etc—Who to Erect, etc.] § 7. All railway companies or corporations who may now or hereafter run and operate their trains on any track running at the foot of or across any public street in the City of Bloomington shall be required to station flagmen at such crossings as the council shall by ordinance from time to time designate, and shall erect and maintain an automatic or other raised gate or bar at the crossings of such streets as shall be so designated, said gate or bar to be of such kind as may be designated by the council, to prevent the crossing of teams across the tracks while trains are in motion thereon, and shall also furnish a tender therefor at their own expense.

1125. Flagmen—Tenders of Gates—Duties.] § 8. It shall be the duty of every such flagman and tender to keep such gate or bar closed at all times when it would be dangerous for teams or persons to cross such railroad track or tracks in consequence of passing trains, and to warn and prevent all persons from crossing said track in time of danger. And it shall be their duty to raise said gates and to permit persons to cross said track immediately after all danger from passing trains, locomotives or cars has ceased.

1126. Electric Lights—To be Maintained at Crossings.] § 9. An electric light shall be placed, maintained and operated by all railway companies or corporations who may now or hereafter run or operate their

trains on any track running across any public street in the City of Bloomington at every intersection of any such street and railway tracks. The said electric lights shall be kept in good and serviceable condition and lighted from sundown to sunup during the night time.

1127. Gates, Flagmen and Electric Bells—Where Shall be Maintained—Hours of Service.] § 10. The Lake Erie & Western Railway Company and the Cleveland, Cincinnati, Chicago and St. Louis Railroad Company shall maintain and operate gates at the intersection of their rights of way with Morris Avenue, Western Avenue, Front, Allin, Grove, Low, Olive and Lee Streets and Roosevelt Avenue.

The aforesaid railroad companies shall place, maintain and operate electric bells of sufficient weight and equipment to warn travellers and pedestrians of the approach of trains at the intersection of their rights of way with Howard and Mason Streets.

The said railroad companies shall station competent watchmen at the intersection of their rights of way with Center, Main, Gridley and Madison Streets.

The Illinois Central Railroad Company shall place, maintain and operate gates at the intersection of its right of way with Washington and Jefferson Streets.

The said Illinois Central Railroad Company shall station competent watchmen at the intersection of its right of way with Grove Street and Oakland Avenue.

The Chicago & Alton Railroad Company shall station competent watchmen at the intersection of its right of way with Washington Street and Seminary Avenue.

All watchmen above provided for, and the operators of the gates above required, shall be and remain on duty at least from 7:30 a. m. to 7:30 p. m., every day, Sunday included, and at such other hours as may be necessary to keep and maintain the grade crossings aforesaid in a reasonably safe condition.

1128. Penalty.] § 11. Any railroad company or corporation failing to comply with the preceding four sections of this article, or any one of them, shall forfeit and pay the sum of twenty-five dollars; and ten dollars additional for each day it shall fail to comply with the provisions of any of said sections.

1129. Street Crossings, etc—Not to be Obstructed by Cars, etc., Longer Than Ten Minutes.] § 12. No railroad company or corporation shall permit its cars to stand upon any public street crossing or obstruct the crossing of any street by its trains, or by said gate or bar, at any one time for a period longer than ten minutes, and when any crossing shall have been obstructed for a period of five minutes it shall not be again obstructed until all teams, wagons and pedestrians who have been kept waiting by such obstruction shall have been permitted to pass over in safety.

1130. Duty of Railroad Company as to Grades, Drains, Ditches, Sewers, Culverts and Crossings—Penalty.] § 13. It shall be the duty of all railroad companies or corporations whose tracks now run within, or may hereafter enter or pass through the corporate limits of the City of Bloomington, to raise or lower their respective railroad tracks to conform to any grade which is or may be established by the council for any street, avenue or alley upon, along or through which said tracks may be laid or run, and where such tracks run lengthwise of any street, avenue or alley, to keep the same on a level with the street or alley surface so that they may be conveniently crossed at any place on such street or alley; and to make and keep open and in repair, suitable ditches, drains, sewers and culverts along and under their respective tracks so that the natural drainage of the adjacent property shall not be impeded and stagnant pools of water be created on or near their said rights of way; and to construct and keep in repair such crossings as the council may designate at the intersections of their tracks with any street, avenue or alley in said city. Any such railroad company or corporation failing, neglecting or refusing to comply with any of the above requirements of this section shall be subject to a fine of not less than twenty-five dollars nor more than two hundred dollars.

1131. Crossings, etc.—Failure to Repair on Notice—Liability.] § 14. In the event that any railroad company or corporation fails or refuses to construct, alter or repair any crossing, culvert or bridge when duly notified to do so by the City Engineer, the council may order such crossing, culvert or bridge to be constructed, altered or repaired at the expense of the city, and such company or corporation shall thereupon be liable to said city in an action of debt for the cost and expense thereof.

1132. Duty of Company to Pave, etc.—When.] § 15. When any street, avenue or alley in said city upon, along or through which any steam railroad track now is or may hereafter be laid, operated or used, shall be ordered paved by ordinance of the council it shall be the duty of every such railroad company or corporation to pave all that portion of said street or alley between the rails of its tracks, and between its tracks, and an additional space of eighteen inches along the outside line on each side of said track or tracks, in the same manner as the remaining portions thereof are paved, or in such manner and with such other materials as shall be by ordinance required; and in case of default on the part of any such company or corporation to comply with the above requirements hereof, the council of said city may cause such railroad track or tracks to be taken up and said pavement to be laid pursuant to ordinance; and every such railroad company or corporation shall be liable to the city for the cost and expense of so paving said portion or portions of such street, avenue or alley aforesaid, together with lawful interest thereon from the completion of the work; and upon the failure or refusal of such railroad company or corporation to pay such costs or

assessment and interest the same may be recovered of such company or corporation by suit in the name of the city before any court of competent jurisdiction.

1133. Duty of—As to Sewers, Culverts, etc.] § 16. Whenever hereafter the City of Bloomington shall construct any sewer, culvert, tunnel or gutter upon or along any of its streets or alleys, and leading to any public railroad or railway crossing within the limits of the City of Bloomington, it shall be the duty of the railroad or railway company owning or in possession or control of such railroad or railway, when ordered by the council of said city, to build and construct at its own expense a continuation of such sewer, culvert, tunnel or gutter over, across or beneath its right of way, upon such grade and in such direction as the council may direct, and of the same materials and dimensions and in like manner as the said sewer, culvert, tunnel or gutter so constructed by the said city of which it shall be a continuation. It shall also be the duty of such railroad or railway corporation to keep and maintain in good order said portion of such sewer, culvert, tunnel or gutter at its own expense.

1134. Exhaust From Cylinders not to be Open When Crossing Streets.] § 17. It shall be unlawful for any person in charge of any locomotive to permit the exhaust from the cylinders thereof to be open and to discharge steam therefrom while said locomotive engine is standing upon or under or crossing any highway, either on grade or above or below the same, within the corporate limits of said city, and for any violation of the terms hereof the company owning or operating the railroad on which said locomotive is running shall be held liable.

1135. Unnecessary Noises From Steam Whistles—Prohibited.] § 18. The blowing of locomotive whistles within the corporate limits of the city is hereby prohibited, except when absolutely necessary to the protection of life.

1136. Penalty.] § 19. Any railroad company, superintendent, conductor, engineer, brakeman or other agent, servant or employee of any such company, or any other person or persons, who shall violate any of the provisions of this article, where no other penalty is prescribed, shall upon conviction be subject to a penalty of not less than five dollars nor more than two hundred dollars for each offense.

ARTICLE XLI.

STREETS.

Section.		Section.	
1137.	Streets for Public Use.	1154.	Transportation of Materials —Manner of—Penalty.
1138.	Injury to—Excavations in— Permit—Penalty.	1155.	Throwing Stones, Playing Ball, etc., in, Forbidden— Penalty.
1139.	Laying Pipes, etc., in—Per- mit.	1156.	Coasting in—Prohibited— Penalty.
1140.	Permit—Application for— Cost of Repairing, etc.	1157.	Sewers and Culverts—Use of and Injury to—Penalty.
1141.	Permits—Who to Issue— Bond.	1158.	Numbering of Buildings on Streets—Plan.
1142.	Defects in — By Casualty, etc.	1159.	Size of Figures.
1143.	Occupation of Street While Building — Application— Permit—Agreement.	1160.	Duty of Owner or Occupant to Number—Notice—Neg- lect—Penalty.
1144.	Permit—Who to Issue.	1161.	Flags and Banners Over.
1145.	Permit—Violation of—Pen- alty—Forfeiture.	1162.	Prohibiting Obstruction of Alleys.
1146.	Building in Street, etc.— Penalty.	1163.	Contractor Paving Streets to Erect Guards.
1147.	Removal of from Streets, etc.—Penalty.	1164.	Unlawful to Ride or Drive Over Pavement within Such Guards.
1148.	Removal of by City.	1165.	Unlawful to Remove Guards.
1149.	Danger Signals — Interfer- ence With—Penalty.	1166.	Width of Wagon Tires.
1150.	Rubbish in Prohibited—Pen- alty.	1167.	Wagons of Over Ten Tons Burden Prohibited With- out Permit of Mayor, etc.
1151.	Personal Property in—Own- ers Unknown—Notice and Sale of.	1168.	Requirements Where Weight of Wagon and Contents Exceed Ten Tons.
1152.	Trees—Hitching Horses to— Injury to — Mutilating Property — Obstructing Street With Vehicle—Pen- alty.	1169.	Traction Engine, etc.—Per- mit Required to Run on Paved Street—Bond.
1153.	Unfastened Horses, etc., in —Penalty.	1170.	Penalty.

1137. Streets For Public Use.] § 1. The streets, avenues, alleys and sidewalks in the City of Bloomington shall be kept free and clear of all encumbrances and encroachments for the use of the public, and they shall not be used or occupied in any other way than is herein provided in this ordinance.

1138. Injury to—Excavations in—Permit—Penalty.] § 2. No person shall injure or tear up any pavement, side or cross walk, or any part thereof, dig any hole, ditch or drain in, or dig or remove any sod, stone, earth, sand or gravel from any street, avenue, alley or public ground in the City of Bloomington without first having obtained written permission from the Commissioner in charge of such place; nor shall any person hinder or obstruct the making or repairing of any pavement, side or cross walk, or any part thereof, in any of the streets, alleys, avenues or other public places of the city when the same is ordered by any department of or proper officer of the city government. Any person offending against the provisions of this section shall upon conviction be subject to a penalty of not less than five dollars nor more than fifty dollars for each offense.

1139. Laying Pipes, etc., in—Permit.] § 3. It shall be unlawful for any company, firm or corporation, their agents, servants or employees, or for any person to make or cause to be made an opening, ditch or excavation in or upon any of the streets, avenues, alleys or other public places of the city for the laying of any pipes or making any change, alteration or repairs to any pipes already laid, or for any other purpose whatsoever, except upon condition that a permit therefor shall have first been obtained of the City Engineer for such purpose.

1140. Permit—Application for—Cost of Repairing, etc.] § 4. Any company, corporation or person desiring to lay, lower, change or remove any gas, water or other pipe or pipes, or to make connection therewith, or to make any change, alteration or improvement in the right of way on any street, shall first apply to the City Engineer for a permit to enter upon such street, avenue, alley or other public place of the city. Such application shall accurately describe the premises sought to be broken, dug or excavated, and the applicant shall agree properly to guard the place which may be dug, broken or excavated so as to protect the city from loss and all persons from accident and injury, and to complete the work to be done with reasonable dispatch, and when completed to notify the said City Engineer: *Provided*, that no such permit shall be issued by the City Engineer for the digging up, excavating or disturbing of any street, avenue or alley of the city until the cost of replacing or repairing of the same shall first have been ascertained by him and paid by the applicant to him, together with the fees for the making of such estimate. The application shall be signed by the person, firm or corporation or their or its duly authorized agent; and in addition to the other requirements herein prescribed shall recite that the person, persons, firm or corporation to whom the same is issued will indemnify the city against any loss or damage in any way resulting to the city by the granting of the permit to such applicant.

1141. Permits—Who to Issue—Bond.] § 5. Upon application being made in the manner required in the preceding section, the engineer may issue a permit to the applicant as herein authorized, and said engineer may, if not satisfied of the responsibility of the person seeking such permit, require a bond or such other guaranty as will protect the public and save and keep the city harmless.

1142. Defects in—By Casualty, etc.] § 6. Whenever it shall be brought to the notice of the Commissioner of Streets and Public Improvements that through any sudden casualty or accident a defect has occurred in any public street, sidewalk, sewer, gutter or drain, whereby the public safety is in danger, he shall cause the same to be provided with proper safeguards, and if the cost shall not exceed the sum of twenty-five dollars he shall put the same in order, and the expense on being allowed by the council shall be paid out of the miscellaneous appropriations for streets, sewers or drains, as the case may be: *Provided*, that nothing herein contained shall be construed to authorize the repair of any dilapidated wooden sidewalks.

1143. Occupation of Street While Building—Application—Permit—Agreement.] § 7. Any person desiring to occupy any portion of the public streets of the City of Bloomington while engaged in the erection of buildings along the line of either or any of said streets, shall first file an application with the Commissioner of Streets and Public Improvements for a permit to so occupy the same. Said application shall state the location of the proposed building, the amount of space in the street desired for occupation, and length of time to be occupied. It shall be accompanied by an obligation on the part of the applicant to observe the ordinances of the city in relation thereto, and to protect the city from any liability to any person or persons on account of accident or damage arising from such occupation, and fully to remove all materials, dirt and rubbish from said occupied space, and to restore the street to its original condition immediately upon the expiration of the period granted in said permit.

1144. Permit—Who to Issue.] § 8. Whenever such application and agreement shall have been so filed, said Commissioner shall have authority, in his discretion, to issue permits to parties to occupy not more than one-third in width of the streets so prayed for, specifying in the permit all the privileges therein granted, with the terms and conditions of the same, and he shall see that they are fully and completely complied with.

1145. Permit—Violation of—Penalty—Forfeiture.] § 9. Whenever any person to whom such permit may be granted shall fail, through either wilfulness or neglect, to perform any of the conditions or execute any of the requirements of the same, he shall forfeit and pay not less than five dollars nor more than fifty dollars for each offense; and the said commissioner shall have the further power, in his discretion, to revoke the privileges granted in said permit and require the removal forthwith of all materials, dirt and rubbish placed upon the occupied portion of the street.

1146. Building in Street, etc.—Penalty.] § 10. No person shall erect or place any building, in whole or in part, upon any street, avenue, alley or other public ground of this city, under a penalty of fifty dollars.

1147. Removal of From Streets, etc.—Penalty.] § 11. The owner, occupant or person in control of any building, fence, porch, steps, gallery or other obstruction which is now or may hereafter be erected or placed upon

any street, avenue, alley or sidewalk or other public ground of the city, shall remove the same upon written notice of the Commissioner of Streets and Public Improvements, and any person failing or refusing to comply with such notice within ten days after being so notified shall be subject to a penalty of not less than five dollars nor more than fifty dollars.

1148. Removal of by City.] § 12. Whenever the owner, occupant or person in control of any building, fence or other obstruction upon any street, avenue, alley, sidewalk or public ground in this city shall refuse or neglect for a period of ten days after notice as prescribed in the preceding section to remove the same, or if the owner, occupant or person in control can not be readily found for the purpose of such notice, the said commissioner shall remove or cause to be removed such obstruction, and the expense thereof shall be recoverable from such owner, occupant or person in control. Every person who shall oppose or resist the execution of the orders of said commissioner in such regard shall be subject to a penalty of not less than ten dollars nor more than fifty dollars.

1149. Danger Signals—Interference With—Penalty.] § 13. Any person who without the written consent of the said commissioner, or without the consent of the person doing or superintending the work, shall throw down, displace or remove any obstruction, guard or red light placed to protect work or repairs on streets, sidewalks or public places shall be fined not less than ten dollars nor more than fifty dollars for each offense.

1150. Rubbish in Prohibited—Penalty.] § 14. It shall be unlawful for any person in said city to place, throw or deposit, or cause to be placed, thrown or deposited, and permit to remain, in or upon any streets, lanes, avenues, alleys, sidewalks or public grounds, any timber, lumber, lath, shingles, fence posts, wood, coal, ashes, lime, brick, earthen crockery, tin clippings, oyster shells, rubbish, waste paper, boxes, crates, barrels, filth, wagons, carts, drays and other vehicles, or any other article, thing or commodity whatsoever; and any person violating any of the provisions of this section shall on conviction forfeit and pay not less than one dollar nor more than one hundred dollars for each offense, and the further sum of three dollars for every day any of said articles or things shall remain contrary to this section.

1151. Personal Property in—Owners Unknown—Notice and Sale of.] § 15. In all cases where any article of personal property shall have remained on any street, lane, avenue, alley or public ground in said city, contrary to ordinance, for twenty-four hours, and no owner or agent for the same can be found in the city, it shall be the duty of the City Marshal or any policeman of said city to remove the same to some convenient place if deemed necessary. It shall thereupon be the duty of the City Marshal to advertise such article of personal property for the space of ten days by posting up notices in three of the most public places of the city, and at the expiration of said notice, if no owner apply for such article, to sell the same at public auction at the city hall building in said city, and to at once pay the proceeds arising therefrom, to the Commissioner of Accounts and Finances.

All such funds shall be retained by said commissioner subject to the order of the council.

1152. Trees—Hitching Horses to—Injury to—Mutilating Property—Obstructing Street With Vehicle—Penalty.] § 16. It shall be unlawful for any person in said city to hitch, fasten or tie any horse, mule or other animal to any shade or ornamental tree, or the boxing or railing around the same, which may be standing or growing on any street or sidewalk, or in or about the court-house square or the public grounds of the city, or to injure, cut, break, climb upon, bend or destroy any shade or ornamental tree growing in said square or grounds; or to turn any cattle, horses or other animals into the same; nor to deface, injure, break or in any manner disfigure any monument in any public park or square; nor shall it be lawful to cut, injure, bend or climb upon any shade tree on any street or sidewalk, or the boxing around any such tree, nor to hitch, fasten or tie any horse, mule or other animal to any light post or public hydrant on any street, sidewalk, alley or public place, or to cut, break, injure or destroy any public lamp or any other property belonging to the City of Bloomington; nor shall it be lawful for any person in said city to light or extinguish any public lamp without having proper authority so to do; nor shall it be lawful for any person in said city to fasten, place, leave standing or tie any horse or other animal on any sidewalk, or at any place or to any thing, in such a way that said horse or other animal, or any vehicle attached thereto, shall occupy or obstruct the free use of any street or sidewalk; and any person violating any of the provisions of this section shall on conviction forfeit and pay not less than three dollars nor more than one hundred dollars for each offense.

1153. Unfastened Horses, etc., in—Penalty.] § 17. No person in said city shall leave standing and unfastened any horse, mule or other animal, or any team, either in harness or attached to any wagon, sled, carriage, dray, cart or other vehicle, nor shall any person cause, suffer or permit any horse, mule, ox or jack to pass through any street or alley without a driver; and any person convicted under this section shall forfeit and pay not less than three dollars nor more than fifty dollars for each offense.

1154. Transportation of Materials—Manner of—Penalty.] § 18. Any person hauling any material along or upon the streets, avenues or alleys of the City of Bloomington shall so construct, keep and maintain the means of conveyance thereof so that at no time shall any of said material so hauled be dropped or spilled onto said streets, avenues or alleys. Any person violating this section shall be fined not less than five dollars nor more than twenty-five dollars for each offense.

1155. Throwing Stones, Playing Ball, etc., in, Forbidden—Penalty.] § 19. It shall be unlawful for any person on any street, lane, alley or public place of said city to fly kites, throw stones, trundle hoops, play ball or use any sport or exercise likely to frighten horses, injure passengers or embarrass the passage of vehicles; and any person violating this section shall forfeit and pay not less than one dollar nor more than twenty-five dollars for each offense.

1156. Coasting in—Prohibited—Penalty.] § 20. It shall be unlawful for any person or persons to indulge in the sport commonly called coasting in or upon any of the public streets, avenues, alleys or sidewalks of the City of Bloomington. Any person or persons violating the provisions of this section, shall forfeit and pay a penalty of not less than one dollar nor more than fifty dollars for each offense.

1157. Sewers and Culverts—Use of and Injury to—Penalty.] § 21. It shall be unlawful for any person in said city to injure, obstruct or destroy any public sewer or culvert, or the grating or openings of the same, constructed or owned in whole or in part by said city, nor shall any such sewer or culvert be used for any other purpose than that for which the same was constructed; and any person violating this section shall forfeit and pay not less than ten dollars nor more than one hundred dollars for each offense.

1158. Numbering of Buildings on Streets—Plan.] § 22. The several buildings that are now or that may hereafter be erected in the City of Bloomington shall be numbered by the owner or owners or occupants thereof according to the following plan, viz:

First—Front street shall be the base or dividing line for numbering houses on all streets or avenues running north or south, and Main street shall be the base or dividing line for all streets or avenues running east or west.

All streets and avenues running north and south and crossing and being north of Front street shall be designated by the prefix "North"; and the portion of all streets and avenues crossing and being south of Front street shall be designated by the prefix "South." All streets and avenues running east and west and crossing and being east of Main street shall be designated by the prefix "East"; and that portion of said streets lying west of Main street shall receive in connection with their present designation the prefix "West."

The first number on each side of Front street shall be one hundred one (101) and progress north and south therefrom at the rate of one hundred numbers to each block. The first number upon each side of Main street shall be one hundred one (101) and progress east and west therefrom at the rate of one hundred numbers to each block.

The odd numbers shall be used upon the east side of all streets running north and south, north of Front street, and upon the south side of all streets running east and west, east of Main street, and upon the west side of all streets running north and south, south of Front street, and upon the north side of all streets running east and west, west of Main street.

The even numbers shall be used upon the west side of all streets running north and south, north of Front street, and upon the north side of all streets running east and west, east of Main street, and upon the east side of all streets running north and south, south of Front street, and upon the south side of all streets running east and west, west of Main street.

It shall be the duty of the Commissioner of Streets and Public Improvements in pursuance of this section, to establish and assign all house numbers on the streets, avenues and thoroughfares of the city, and he shall prepare

the necessary maps and records of the numbers so assigned by him, and said maps and records shall be evidence of the number so assigned by him; and he shall on demand furnish each owner or occupant of a house, or such person as may be employed in numbering the houses or buildings, with the necessary information as to the number belonging to each house, and all numbering shall be strictly in conformity with the directions and regulations of said Commissioner of Streets and Public Improvements.

1159. Size of Figures.] § 23. The figures of every number shall not be of less dimensions than two and one-half inches in length; each figure shall be legible, and placed in a conspicuous position on the front side or above the front door of every building.

1160. Duty of Owner or Occupant to Number—Notice—Neglect—Penalty.] § 24. Any person or persons, being the owner or owners, occupant or occupants, of any building or buildings now erected or which may hereafter be erected, and being upon and fronting on any of the streets of the City of Bloomington, who shall neglect or refuse to number his or their building or buildings in conformity with the provisions of this article for more than thirty days after they have been notified to do so by the officer appointed to perform that duty, shall forfeit and pay the sum of three dollars, and a like amount for every day after the first conviction such neglect or refusal shall continue.

1161. Flags and Banners Over.] § 25. The suspending of any banners, signs, transparencies or other thing over any street in the City of Bloomington is hereby forbidden.

1162. Prohibiting Obstruction of Alleys.] § 26. No automobile, wagon, carriage, buggy, sleigh, sled, railway coach or vehicle of any kind or description, or any part of the same, with or without horses or other beasts of burden thereto attached, shall be permitted to stand or remain in and obstruct any public alley in the City of Bloomington for a longer time than five consecutive minutes at any one time, except while the same is being loaded or unloaded, and while being loaded or unloaded such vehicle shall remain in such public alley only a reasonable length of time.

1163. Contractor Paving Streets to Erect Guards.] § 27. When any street, alley or other public place in the City of Bloomington shall hereafter be paved or otherwise improved, it shall be the duty of the contractor or contractors who have charge of said work to cause to be placed in said street, alley or public place at the intersection of all cross streets, proper and sufficient guards to prevent automobiles, wagons, buggies, machinery or vehicles of all kinds and descriptions, and animals of all kinds and descriptions, from entering in and upon such streets so being paved or otherwise improved, for a distance of at least one block from that part of the said improvement that has been lastly constructed.

1164. Unlawful to Ride or Drive Over Pavement within Such Guards.] § 28. It shall be unlawful for any person to ride, drive or in

any manner propel any kind of vehicle or piece of machinery, or to lead, ride or drive any horse, mule or cow over, along or upon that portion of any street, alley or other public place in the City of Bloomington so being paved or otherwise improved that is within the guards or obstructions placed upon such street, alley or public place by the party in charge of such pavement or improvement as provided in the section immediately above.

1165. Unlawful to Remove Guards.] § 29. It shall be unlawful for any person other than those engaged in the construction of said pavement or improvement to remove or destroy any such guards or obstructions placed upon any such street, alley or public place that is being paved or improved.

1166. Width of Wagon Tires.] § 30. It shall be unlawful for any person, firm or corporation to transport, haul or convey any load, weight or burden along or upon any of the paved streets, avenues or alleys of the City of Bloomington upon any wagon or other wheeled vehicle not having a smooth tire upon the wheels thereof, and such tires shall be not less than the following widths for the following loads in ton weights, viz:

For any wagon or vehicle engaged in hauling coal, brick or sand, the tires on the wheels thereof shall be not less than three inches in width.

For any load, weight or burden exceeding three tons and not exceeding four tons in weight, not including the weight of such vehicle, the tires of the wheels thereof shall not be less than three and one-half inches in width.

For any load, weight or burden exceeding four tons and not exceeding five tons in weight, not including the weight of such vehicle, the tires of the wheels thereof shall not be less than four inches in width.

For any load, weight or burden exceeding five tons in weight and not exceeding six tons in weight, including the weight of such vehicle, the tires upon the wheels thereof shall not be less than four and one-half inches in width.

For any load, weight or burden exceeding six tons and not exceeding ten tons in weight, including the weight of such vehicle, the tires upon the wheels thereof shall not be less than six inches in width.

1167. Wagons of Over Ten Tons Burden Prohibited Without Permit of Mayor, etc.] § 31. It shall be unlawful for any person, firm or corporation to transport, haul or convey any load, weight or burden upon any wagon or other wheeled vehicle over, upon or along any pavement laid and maintained upon any public street, avenue or alley of the City of Bloomington, when the weight of such load or burden, including the weight of such wheeled vehicle, shall exceed ten tons in weight, unless such person shall comply with the provisions of the next succeeding section of this article.

1168. Requirements Where Weight of Wagon and Contents Exceed Ten Tons.] § 32. Any person, firm or corporation desiring to transport, haul or convey any load, weight or burden exceeding ten tons in weight upon any wagon or other wheeled vehicle over, upon or along any of the paved streets, avenues or alleys of the said City of Bloomington, shall first make application for a permit therefor to the Commissioner of Streets and Public Im-

provements, stating the nature, character and weight of such wagon or other wheeled vehicle, also naming in such application the paved streets, avenues or alleys over which it is proposed to transport or haul the same, and agreeing to be responsible for and pay to the said City of Bloomington all damages that may occur to any such paved street, avenue or alley by reason of the transporting or hauling of such load, weight or burden over or upon the same, and if in the opinion of the said commissioner no permanent injury is likely to occur by reason of the transportation or hauling of such load, weight or burden over or along the paved streets, avenues or alleys named in such application, he may grant a permit therefor.

1169. Traction Engine, etc.—Permit Required to Run on Paved Street—Bond.] § 33. It shall be unlawful for any person, firm or corporation to transport, haul or convey over, upon or along any paved streets, avenues or alleys in the City of Bloomington any locomotive engine, traction engine or other wheeled vehicle having cogs, spikes or other rough metallic substance upon the outside rims or tires of any of the wheels thereof to prevent the slipping of the same, or for any other purpose, unless the owner thereof, or the person, firm or corporation in charge thereof, shall first apply for and receive a permit from the Commissioner of Streets and Public Improvements, designating the route which it is desired to use over and upon said streets, and the time when the said machine is to be moved, and at the same time file with the City Clerk a bond in the sum of five hundred dollars executed by the person, firm or corporation owning or controlling the said vehicle, and by at least one good and sufficient surety to be approved by the clerk, conditioned that the said person, firm or corporation shall indemnify the City of Bloomington and the people thereof for any damage that may accrue by reason of the use of the said paved streets as herein provided.

No such engine, traction engine or other wheeled vehicle herein described shall be transported, hauled, run or conveyed over any such paved street, alley or avenue at a greater speed than two miles per hour, and the said person, firm or corporation shall sufficiently plank that part of the roadway used in the transportation of such machines or vehicles where an asphalt pavement is used. Any person, firm or corporation regularly engaged in the business of buying, selling or dealing in machines and vehicles described in this section, and having an established place of business, may file one bond annually which shall cover permits issued to such person, firm or corporation during the fiscal year in which filed.

It shall be the duty of the Commissioner of Streets and Public Improvements upon issuing permits herein provided for to file a copy thereof with the Chief of Police for his use and reference.

1170. Penalty.] § 34. Any person who shall violate any of the provisions of this article, where no other penalty is provided, shall be liable to a fine of not less than three dollars nor more than one hundred dollars for each offense; and such further damages as shall be caused by any such violation, to be collected in a separate action.

ARTICLE XLII.

STREET RAILROADS.

Section.		Section.	
1171.	Regulations—Restrictions.	1178.	Drains and Culverts Under
1172.	Grant of Franchise.		Tracks—Space Between—
1173.	Application—Plat.		How to be Kept.
1174.	Applicant to Give Public	1179.	Duty of Company to Pave,
	Notice of—How Given.		etc.—When.
1175.	Proof of Publication—How	1180.	Franchise for Street Rail-
	Made — Damages — Bond		road in Improved Streets
	for.		—Person Obtaining Right
1176.	Control of Streets Reserved		to Pay for Same.
	—Police Power.	1181.	Rules and Regulations.
1177.	How Tracks of in Streets to	1182.	Franchise—Limit of Grant.
	be Maintained—Notice to	1183.	Fares.
	—Penalty.	1184.	Provisions to Form Part of
			Grant—When.
		1185.	Annual License Fee.

1171. Regulations—Restrictions.] § 1. Any individual, company or corporation to whom hereafter shall be granted the privilege to construct and operate street railroads in the City of Bloomington, and all persons, companies and corporations operating roads already established, shall be guided, governed and regulated by the conditions and restrictions hereinafter set forth, and by any such further rules, regulations, restrictions and conditions as the council may at any time hereafter prescribe.

1172. Grant of Franchise.] § 2. The council shall not grant a franchise to any person, company or corporation to construct or maintain any street railroad, to be operated by steam power, electricity, horse or any other motive power, over, in, along or upon any of the streets, avenues or alleys of the City of Bloomington, except such person, firm or corporation shall pay all damages to the owners of property abutting upon the street, alley, road or highway upon or over which such road is to be constructed, and except upon a petition of the owners of the land representing more than one-half the frontage of the streets, avenues or alleys, or so much thereof as is sought to be used for such street railroad.

1173. Application—Plat.] § 3. Subject to the provisions of the preceding sections of this article, all applications for permission to construct and operate street railroads in the City of Bloomington shall be made to the council in writing, setting forth the name and address of the applicant, the termini of the proposed line, the streets, avenues or

alleys in which it is proposed to construct the same, the number of tracks to be laid in each street, with such turn-outs, side-tracks and turn tables as may be necessary, all of which shall be delineated on a plat to be furnished with the application.

1174. Applicant to Give Public Notice of—How Given.] § 4. No action shall be taken by the council on any such application until the person or corporation asking the consent of the council to operate and construct any such railroad shall have given at least ten days public notice of the time and place of presenting any such application or petition. The notice of such application or petition shall be given by publication in some daily public newspaper of general circulation published in the City of Bloomington and printed in the English language.

1175. Proof of Publication—How Made—Damages— Bond for.] § 5. Proof of the publication of such notice shall be made to the council by a copy of the notice attached to the certificate of the publisher certifying as to its correctness and also as to the number of times and dates on which such notice was published. The applicant or petitioner shall also before any such grant is given by the council execute a bond to the City of Bloomington, with two or more sureties, to be approved by the said council, and in such sum as they may determine, conditioned that the applicant or petitioner, in the event that the grant asked for by the petitioner is allowed by the council, will pay all damages to owners of property abutting upon the street, avenue, alley or public ground upon or over which such railroad is to be constructed which they may sustain by reason of the location or construction of the road.

1176. Control of Streets Reserved—Police Power.] § 6. Every grant to any such person, company or corporation of a right to use any of the streets, avenues, alleys or public grounds in the City of Bloomington shall at all times thereafter be subject to the right of the proper authorities to control the use, improvement and repair of any such streets, avenues, alleys or public grounds to the same extent as if no such grant had been made, and to make all necessary police regulations concerning the management and operation of such street railroad, whether such right is reserved in the grant or not.

1177. How Tracks of in Streets to be Maintained—Notice to—Penalty.] § 7. It shall be the duty of any person, company or corporation now operating, controlling or maintaining, or that may hereafter own, operate or control a street railroad, in any of the streets, avenues, alleys or other public grounds of the City of Bloomington, to lower or raise the tracks to conform to any grade which is or may hereafter be established by the council for any street, avenue, alley or other public ground upon, along or over which any of said tracks now are or may hereafter be laid, and where any such tracks run lengthwise of any street or avenue, to keep said tracks on an even grade with the surface of such street so

that the same may be conveniently crossed at any place. Any such person, company or corporation failing, neglecting or refusing to comply with the provisions of this section within thirty days after written notice from the Commissioner of Streets and Public Improvements shall on conviction be subject to a penalty of not less than ten dollars nor more than one hundred dollars for each offense, and each and every day's neglect after the expiration of thirty days from said notice shall be deemed to be a separate offense within the meaning of this section.

1178. Drains and Culverts Under Tracks—Space Between—How to be Kept.] § 8. Every person, company or corporation now operating, or that may hereafter operate or maintain any street railroad as aforesaid, shall at its own expense construct, maintain and at all times keep in good condition and repair drains or culverts along the streets where its tracks are laid, where any of said streets are intersected by cross streets or alleys, and said drains or culverts shall be so constructed and maintained as to afford a ready means of carrying off the water from falling rains or melting snows flowing down any of such intersecting streets or alleys, and in such manner as to afford a safe and convenient crossing for the public at such intersections over said tracks, and all the space between the outside rails of any of said track shall be so graded and maintained as to render said tracks convenient for vehicles to cross at any place along any street where any of said tracks may be laid or any street railroad is operated. Every person, company or corporation failing, neglecting, or refusing to comply with the provisions of this section after notice as provided in the preceding section, within thirty days, shall be subject to a like penalty as is therein prescribed. And each day's neglect shall be deemed to be a separate offense within the meaning of this section.

1179. Duty of Company to Pave, etc.—When.] § 9. When any street, avenue or alley in said city upon, along or through which any street railroad track now is or may hereafter be laid, operated or used, shall be ordered paved by the council, it shall be the duty of any person, company or corporation owning, operating or controlling such street railroad track or tracks to pave all that portion of the street, avenue, or alley where any of said tracks are laid that is included in the space between the rails of said track or tracks, and between the said tracks, and an additional space of eighteen inches along the outside line on each side of said track or tracks upon all the streets, avenues, alleys or other public grounds of the city where any of said track or tracks now are or may at any time hereafter be laid, in the same manner as the remaining portions of the street on each side of said space is paved, or in such other manner as the council may by ordinance direct, and in case of default on the part of any such person, company or corporation to comply with the above requirements at the time the remaining portions of the street, as aforesaid, are paved, the council may cause any of such street railroad track or tracks to be taken up and the

space in such streets, as aforesaid, to be paved in pursuance with the provisions hereof, and every such person, company or corporation shall be liable to the City of Bloomington for the cost and expense of such pavement in said space or portion of any of said streets, avenues, alleys or other public grounds of the city where any of said street railroad tracks run or are laid, with lawful interest thereon from the completion of the work, to be recovered by the City of Bloomington of any person, company or corporation so in default before any court of competent jurisdiction.

1180. Franchise for Street Railroad in Improved Streets—Person Obtaining Right to Pay for Same.] § 10. Hereafter all franchises or rights of way given or granted by the council of the City of Bloomington to any person, company or corporation to lay, construct and maintain a street railroad in any of the streets, avenues or alleys in the City of Bloomington on which a pavement has been laid in whole or in part at the expense of the property owners abutting thereon, shall provide that the person, company or corporation, before such right or privilege is granted, shall pay, or cause to be paid, to the Commissioner of Accounts and Finances for the use of contiguous property owners on any such improved streets to be taken for the purposes aforesaid, a ratable proportion of the original cost of the improvement of such street, avenue or alley so taken as the part taken for such street railroad purposes bears to the entire width of any such street, avenue or alley paved and paid for as aforesaid. And this section shall be deemed to be a part of every such right or privilege hereafter granted by the council to any person, company or corporation, unless repealed by express words in the ordinance or ordinances granting any such franchise, right or privilege.

1181. Rules and Regulations.] § 11. Every person, company or corporation now operating or that may hereafter be granted the right to operate street railroads in any of the streets, avenues, alleys or other public grounds of the City of Bloomington shall be subject to and observe the following rules and regulations:

First—Cars driven in the same direction shall not approach each other within a distance of fifty feet, except under perfect control.

Second—While cars are turning corners from one street to another they shall not be driven or propelled at a rate of speed exceeding five miles an hour, and the rate of speed of all cars at all times shall be subject to the direction of the council.

Third—No car shall be allowed to stop on a cross-walk, nor in front of any intervening street, except to avoid collision or to prevent danger to persons in the street; nor shall any car be left standing in any street or highway at any time unless the same is waiting for passengers.

Fourth—There shall be a conductor and a motorman on every car propelled in said city, and the conductor shall announce to the passengers the names of the principal streets along the route, and the streets or places wherever the cars cross in connection with any other street railroad track.

Fifth—The conductors, motormen or drivers, as the case may be, of each car shall keep a vigilant watch for all vehicles and persons on the track or tracks, and on the first appearance of danger the car shall be stopped in the shortest time and space possible.

Sixth—All such cars shall be provided with signal lights, which lights shall be placed on the front end of the car at dusk in such manner as to render it conspicuous to public travel on the line of the track or tracks on which any of said cars run. All such cars shall have placed on each end thereof, on the outside, a gong or other suitable device, and the person in charge of or propelling any of such cars shall cause said gong or device to be sounded or rung at least one hundred feet from the place where such street railroad track crosses or intersects any street or public highway, and be kept sounding or ringing until such street or public highway is reached.

Seventh—All street cars and interurban cars running or operated on streets or avenues that are now paved, or may hereafter be paved, stopping at the intersection or crossing of any intersecting street or avenue for the purpose of taking on or discharging passengers, shall stop with the front platform of the car at the first or near sidewalk or crossing of said intersecting street or avenue; and on all streets not paved such street cars shall stop with the rear platform of the car at the further crossing or walk of such intersecting street or avenue.

It shall be the duty of any individual, company or corporation now operating or that may hereafter be granted the privilege to construct and operate street railroads in the City of Bloomington, to cause all cars operated thereon to be so heated during the cold weather as to render them comfortable for public travel.

Eighth—No person, company or corporation that is now operating, or that may hereafter be granted the right to operate a street railroad in the City of Bloomington, shall be permitted to remove the snow which may fall upon any of its said track or tracks upon the roadway of any of the streets or avenues upon and along which any of said tracks may run except in such manner that the same when removed from said track or tracks to said roadway will be evenly distributed over the surface thereof, and in such manner as shall not interfere with the free use and occupancy of such streets and avenues by the public: *Provided*, that no such person, company or corporation shall be permitted in removing snow from its said tracks to deposit and allow the same to remain on any cross-walk intersecting any of said tracks for a longer period than thirty minutes, and every crossing shall within the time aforesaid be cleaned by such person, company or corporation.

Ninth—Every individual, company or corporation to whom has been granted, or to whom may hereafter be granted the right to operate, maintain or construct a street railroad in any of the streets, avenues, alleys or other public places of the City of Bloomington, is hereby required to sprinkle, or pay the cost of sprinkling, the right of way used by them in and upon any street, avenue, alley or other public grounds of the city through or over which such railroad may be built in all cases where the remainder of any

such street, avenue, alley or other public grounds is sprinkled by the city or the property owners.

Tenth—The speed of street cars running on street railway tracks in the said city shall be limited to fifteen miles per hour, and said cars shall at all times be run and operated in a careful and cautious manner.

Eleventh—Any person, firm or corporation violating any of the provisions of this section shall be subject to a penalty of not less than ten dollars nor more than two hundred dollars for each offense.

1182. Franchise—Limit of Grant.] § 12. No grant under the provisions of this article shall be made for a longer period than twenty years from the date of such grant: *Provided*, that no right in any additional extension, track or tracks shall be made to extend beyond the period specified in the grant for the main line.

1183. Fares.] § 13. No person, company or corporation operating a street railroad within said city shall demand, charge or receive more than five cents for carrying any passenger one continuous trip over the entire line or lines of railroad, or over any part thereof within the city limits.

1184. Provisions to Form Part of Grant—When.] § 14. The provisions of this article, so far as applicable, and unless expressly repealed, shall be considered as entering into and forming a part of every such grant hereafter made, whether specifically set forth or referred to in the ordinance making the grant or not.

1185. Annual License Fee.] § 15. Every company, firm or individual operating any street railway in the City of Bloomington shall pay an annual license fee for each and every car regularly operated by it within the corporate limits of the city, the sum of ten dollars per car. Said sum of money shall be paid in advance on or before the first day of January in each and every year hereafter, and no street car shall be permitted to run or be operated on any public street of said city until the license fee therefor is fully paid.

ARTICLE XLIII.

TAX ON FIRE INSURANCE COMPANIES.

Section.

1186. All Companies Not Incorporated Under Laws of Illinois to Pay Tax.

1187. Duty of Agents.

1188. Penalty.

1186. All Companies Not Incorporated Under Laws of Illinois to Pay Tax.] § 1. All companies, corporations and associations not incorporated under the laws of the state of Illinois, and which are engaged in

the City of Bloomington in effecting fire insurance shall pay to the Commissioner of Accounts and Finances on or before the fifteenth day of July in each and every year the sum of two per cent of the gross receipts received by their agency in said city during the year immediately preceding the first of July prior to the day when said money must be paid over to said commissioner.

1187. Duty of Agents.] § 2. Every person who shall act in the City of Bloomington as agent, or otherwise, for or on behalf of any such corporation, company or association shall, on or before the fifteenth day of July of each year, render to the City Clerk of the City of Bloomington a full, true and just account, verified by his oath, of all the premiums which during the year ending on every first day of July preceding said report shall have been received by him or any other person for him in behalf of any such corporation, company or association, and shall specify in said report, the amounts received for fire insurance. Such agents shall at the time of making such report pay over to the said commissioner the sum or sums of money herein specified.

1188. Penalty.] § 3. Any person, corporation or association violating any of the provisions of this article shall be fined not more than two hundred dollars for each offense, and it shall thereafter be unlawful for the company, corporation or association which any agent violating any of said provisions represents or for which he does business to further carry on its business in said city.

ARTICLE XLIV.

TOWNSHIP OFFICERS.

Section.

- 1189. City Clerk and Town Clerk—Offices Consolidated—Duties of City Clerk.
- 1190. City Treasurer and Town Collector—Offices Consolidated—Duties of City Treasurer.
- 1191. Highway Commissioners—Offices Discontinued.

1189. City Clerk and Town Clerk—Offices Consolidated—Duties of City Clerk.] § 1. The officers of City Clerk of the City of Bloomington and Town Clerk of the Town of the City of Bloomington shall be and the same hereby are united in the same person, and the City Clerk of the City of Bloomington shall perform all the duties required of the Town Clerk of the Town of the City of Bloomington, and no Town Clerk shall be elected for the Town of the City of Bloomington.

1190. City Treasurer and Town Collector—Offices Consolidated—Duties of City Treasurer.] § 2. The officers of City Treasurer of the City of Bloomington and Town Collector of the Town of the City of

Bloomington shall be and hereby are united in the same person, and the City Treasurer of the City of Bloomington shall perform all the duties required of the Town Collector of the Town of the City of Bloomington, and no Town Collector shall be elected for the Town of the City of Bloomington.

1191. **Highway Commissioners—Offices Discontinued.]** § 3. The offices of Highway Commissioners shall be and the same hereby are discontinued in the Town of the City of Bloomington and there shall be no Highway Commissioners elected for the Town of the City of Bloomington.

ARTICLE XLV.

TRAFFIC REGULATIONS.

Section.		Section.	
1192.	Vehicles—Manner of Driving—Shall Keep to Right.	1203.	Unattended Horse—Securely Fastened.
1193.	Vehicles—Passing and Overtaking.	1204.	Removing Harness, etc.—Cracking Whips—Care of Horses Separately Hitched.
1194.	Turning at Corners—Turning Around—Stopping at Curb—Backing.	1205.	Vehicle Without Driver—Prohibited to Stand in Certain District.
1195.	Vehicle Waiting at Curb—Backed up to Curb—Stopping on Street.	1206.	Theaters, etc.—Vehicles Not to Stand in Front of. During Performance.
1196.	Vehicles and Street Cars—Shall not Stop on Intersections—Shall Obey Police Signal.	1207.	Sidewalks—Not to be Driven on.
1197.	Right of Way to North and South Traffic—Entering Alleys.	1208.	Speed of Horse Drawn Vehicles.
1198.	Fire and Police Apparatus—Shall Have Right of Way.	1209.	Street Cars—Speed in Passing.
1199.	Procession—Driving Through.	1210.	Orders of Police Officers—Must be Complied With.
1200.	Obstructing Street—Overloading.	1211.	Unusual Noises.
1201.	Signal on Approach—Passing Cars Loading or Unloading Prohibited—Passing to Left of Car.	1212.	Unfit Animal.
1202.	Intersections—Vehicle Under Control—Signals.	1213.	Vehicle Emerging from Alley, Garage, etc.—Speed and Signals.
		1214.	Exhaust—Smoke—Noise.
		1215.	Breaking Animals—Prohibited on Streets.
		1216.	Jumping on Rear of Vehicle.

Section.	Section.
1217. Cutting Corners—Prohibited in Congested District.	1222. Unattended Automobiles—Engine Running.
1218. Parade—Permit Required.	1223. Age of Persons Driving Vehicles for Hire.
1219. Terms Defined—Congested District.	1224. Lights on Automobiles.
1220. Frightened Horse — Motor Vehicle to Stop.	1225. Lights—Shall be Dimmed.
1221. Unnecessary Signals.	1226. Assignment of Powers and Duties.
	1227. Penalty.

1192. Vehicles—Manner of Driving—Shall Keep to Right.] § 1.

All vehicles shall be driven in a careful manner and with due regard for the safety and convenience of pedestrians and other vehicles.

All vehicles shall keep to the right side of the center of the street, and on all streets divided longitudinally by a parkway, viaduct, walk, street railway or sunken way, vehicles shall keep to the right of such division.

1193. Vehicles—Passing and Overtaking.] § 2. Vehicles meeting shall pass each other to the right.

Vehicles moving slowly shall keep as close as possible to the curb on the right, allowing more swiftly moving vehicles free passage to the left. A vehicle overtaking another vehicle traveling in the same direction shall keep to the left of the overtaken vehicle in passing.

Every person in charge of a vehicle shall pull to the right side of the street or road when signalled from a vehicle behind desiring to pass.

1194. Turning at Corners—Turning Around—Stopping at Curb—Backing.] § 3. Vehicles turning to the right into an intersecting street shall pass and turn the corner as near to the right hand curb as possible.

Vehicles turning to the left into an intersecting street shall pass to the right of and beyond the center of the street intersection before turning.

Vehicles crossing from one side of the street to the other shall do so by turning to the left so as to head in the same direction as the traffic on that side of the street toward which the crossing is made, and such turn shall be made only in a street intersection.

No vehicle shall stop with its left side to the curb.

No vehicle shall back to make a turn in any street if by so doing it interferes with other vehicles, but shall go around the block or to a street sufficiently wide to turn without backing.

1195. Vehicle Waiting at Curb—Backed up to Curb—Stopping on Street.] § 4. A vehicle waiting at the curb shall promptly give place to a vehicle about to take on or let off passengers.

No vehicle shall remain backed up to the curb except it be actually loading or unloading, and in such case no longer than the actual loading

or unloading requires. The horse or horses attached to a vehicle backed up to the curb shall be turned at right angles to the vehicle and in the direction in which the traffic on that side of the street is moving.

No vehicle shall stop on any street, except in an emergency, unless within two feet of the curb, nor in such a way as to obstruct the free passage of the street.

1196. Vehicles and Street Cars—Shall Not Stop on Intersections—Shall Obey Police Signal.] § 5. No vehicle or street car shall stop or stand within any street intersection, nor within ten feet of the line of an intersecting street in the congested district, nor outside of the said district for a longer period than is necessary to load and unload.

The driver of any vehicle shall stop upon signal from a police officer.

1197. Right of Way to North and South Traffic—Entering Alleys.] § 6. Traffic on north and south streets shall have the right of way over traffic on east and west streets; all alleys running east and west shall be entered from the east and all alleys running north and south shall be entered from the north.

1198. Fire and Police Apparatus—Shall Have Right of Way.] § 7. The driver of a vehicle on the approach of a police patrol or fire wagon or other fire apparatus shall immediately draw up said vehicle as near as practicable to the right hand curb and parallel thereto, and bring it to a standstill.

The driver of a street car shall immediately stop said car and keep it stationary upon the approach of a fire engine or wagon or other fire apparatus, *Provided*, that if on a street intersection such street car shall, if practicable, clear the intersection.

The officers and men of the fire department and fire patrol, with their fire apparatus of all kinds, when going to, or on duty at or returning from a fire, and the officers and men of the police department, and all patrols and ambulances, shall have the right of way in any street and through any procession, except over vehicles carrying United States mail.

1199. Procession—Driving Through.] § 8. No vehicle shall be driven through a procession except with the permission of a police officer.

1200. Obstructing Street—Overloading.] § 9. No vehicle shall be allowed to remain upon or be driven through any street of the City of Bloomington so as wilfully to blockade or obstruct the said street; and no vehicle shall be so overloaded that the horse or horses, or motive power, shall be unable to move it.

1201. Signal on Approach—Passing Cars Loading or Unloading Prohibited—Passing to left of Car.] § 10. The driver or operator of every motor vehicle shall give some plainly visible or audible signal of his approach, and the driver or operator of every vehicle as defined herein shall come to a full stop upon his approach to a street car or interurban

car which is stopping for the purpose of taking on or discharging passengers, and said driver or operator shall not start until said street car or interurban car has taken on and discharged its passengers and has again started, and it shall be unlawful for any driver of any such vehicle to pass to the left of any such street car or interurban car while such car is stopping for the purpose aforesaid.

1202. Intersections—Vehicle Under Control—Signals.] § 11. Drivers or operators of motor vehicles of all kinds shall in approaching or traversing a crossing or street intersection have their vehicles under control, and shall sound their signals in such a way as to give warning to other vehicles and to pedestrians of their approach.

1203. Unattended Horse—Securely Fastened.] § 12. No horse shall be left unattended in any street or highway unless securely fastened or unless the wheels of the vehicle to which it is harnessed are securely tied, fastened or chained, and the vehicle is of sufficient weight to prevent its being dragged at dangerous speed with the wheels so secured. No horse shall be unbitted or unbridled in any street or highway, unless secured by a halter.

1204. Removing Harness etc.—Cracking Whips—Care of Horses Separately Hitched.] § 13. No one in any street or highway shall remove a wheel, pole, shaft, whiffletree, splinter-bar or any part of a harness likely to cause accident if the horse or horses start, without first unhitching the horse or horses attached to said vehicle.

No one shall crack or so use a whip as to annoy, interfere with or endanger any person or excite any horse or horses other than that which he is using.

No person shall drive, guide or have the care of two or more horses harnessed respectively to different vehicles.

1205. Vehicle Without Driver—Prohibited to Stand in Certain District.] § 14. Within the following district, to-wit, beginning at the southeast corner of the intersection of Main Street and Washington Street, thence north along the east line of Main Street to the north line of Jefferson Street, thence west along the said north line of Jefferson Street to the west line of Center Street, thence south along the said west line of Center Street to the south line of Washington Street, thence east along the said south line of Washington Street to the point of beginning, in the City of Bloomington, Illinois, no vehicle shall be allowed to stand for any time whatever unless said vehicle is occupied by its driver, and no person shall "park" a vehicle within said district.

1206. Theaters, etc.—Vehicles Not to Stand in Front of During Performance.] § 15. No vehicle shall be "parked" or allowed to remain for a longer time than is necessary to take on or unload passengers, whether or not the said vehicle is occupied, in front of any building regularly used as a theater, vaudeville house or motion picture house dur-

ing the time any performance or entertainment whatsoever is in progress therein, or during one hour before such performance or entertainment is scheduled to commence, and during the period of fifteen minutes after such performance or entertainment is over.

1207. Sidewalks—Not to be Driven on.] § 16. No vehicle shall be driven or allowed to be upon any sidewalk in the City of Bloomington.

1208. Speed of Horse Drawn Vehicles.] § 17. No vehicle propelled by animal power shall be drawn or driven on any street, alley or public place of the City of Bloomington at a greater rate of speed than is reasonable and proper, having regard to the traffic and use of the highway or so as to endanger the life or limb of any person.

1209. Street Cars—Speed in Passing.] § 18. On a street having a switch or double street car track, no street car shall pass a street car which has stopped, at a greater rate of speed than two miles an hour.

1210. Orders of Police Officers—Must Be Complied With.] § 19. Drivers of vehicles and street cars must at all times comply with any direction, by voice or hand, of any member of the police force as to placing, stopping, starting, approaching or departing any place, the manner of taking up or setting down passengers, and loading or unloading goods in any place.

1211. Unusual Noises.] § 20. No one shall load or drive a vehicle loaded with iron or any materials likely to create loud noises by striking together without using every effort to deaden the sound.

1212. Unfit Animal.] § 21. No one shall knowingly permit an animal to be driven which is not in every respect fit for the service in which it is employed and free from lameness, sores or any disease likely to cause pain to the animal or any injury to person or property.

1213. Vehicle Emerging From Alley, Garage, etc.—Speed and Signals.] § 22. No vehicle shall emerge from an alley, stable or garage at a pace faster than a walk; at the latter places an attendant shall precede the vehicle to give warning.

1214. Exhaust—Smoke—Noise.] § 23. No person operating a self propelling vehicle shall permit the motor of the same to operate in such a manner as to visibly emit an unduly great amount of steam, smoke or products of combustion from exhaust pipes or openings.

No person operating a self propelling vehicle shall permit the pipes, "mufflers" or other devices to emit sounds of exhaust in a loud or annoying manner, and all such vehicles shall be operated in as noiseless manner as possible. No person shall operate a self propelling vehicle with the "cut out" open.

1215. Breaking Animals—Prohibited on Streets.] § 24. No person shall drive upon the streets or highways any unduly dangerous or partially

“broken” animal, or use the streets or highways for the use of “breaking” animals, it being the intention of this section to confine the words “broken” and “breaking” to the acts of accustoming animals to the saddle or harness for the purpose of subjecting; and no person shall use the streets for sale purposes.

1216. Jumping on Rear of Vehicle.] § 25. No one shall ride or jump upon the rear of any vehicle without permission, and when so riding no part of the body of such person shall protrude beyond the limits of the vehicle.

1217. Cutting Corners—Prohibited in Congested District.] § 26. The roadbeds of highways and streets are primarily intended for vehicles, but pedestrians have the right to cross them in safety: *Provided*, that in the congested district pedestrians shall cross streets at right angles and only on the crossing or walks of street intersections, and all drivers of vehicles shall exercise all proper care not to injure pedestrians, and pedestrians, before stepping from the sidewalk to the roadbed, should look to see what is approaching and shall not needlessly interfere with the passing of vehicles.

1218. Parade—Permit Required.] § 27. No person, society, organization or company shall conduct or organize a parade through the streets and public ways of the City of Bloomington without obtaining a permit therefor from the office of the Chief of Police.

1219. Terms Defined—Congested District.] § 28. The word “vehicle” as used in this article shall be held to include equestrians, led horses, carts, drays, hackney coaches, omnibuses, carriages, wagons, motor vehicles, wheels, bicycles and all other vehicles used for transporting persons or property on the public streets, however drawn, driven or propelled, except street cars, and carts, carriages or barrows propelled by hand.

The word “horse” includes all domestic animals.

The word “Driver” includes the rider and driver of a horse, the rider of wheels and the operator of a motor vehicle or street car.

The term “congested district,” as used in this article is defined to be that part of the City of Bloomington lying within the following boundaries, to-wit: Commencing at the southeast corner of the intersection of Grove Street and Main Street, thence north along the east line of Main Street to the north line of Mulberry Street, thence west along the north line of Mulberry Street to the west line of Main Street, thence south along the said west line of Main Street to the north line of Jefferson Street, thence west along the north line of Jefferson Street to the west line of Center Street, thence south along the said west line of Center Street to the south line of Grove Street, thence east along the said south line of Grove Street to the point of beginning in the City of Bloomington, Illinois.

1220. Frightened Horse—Motor Vehicle to Stop.] § 29. Whenever it shall appear that any horse ridden or driven by any person upon any of said streets, roads or highways is about to become frightened by the approach of any motor vehicle it shall be the duty of the person driving or conducting such motor vehicle to cause the same to come to a full stop until such horse or horses shall have passed.

1221. Unnecessary Signals.] § 30. The unnecessary blowing of horns or other signal devices is hereby prohibited.

1222. Unattended Automobiles—Engine Running.] § 31. Owners or operators of automobiles are prohibited from leaving their automobiles standing alone in the streets with the engine or motor thereof in operation, and when manned they shall not permit them to stand in the street in operation for an unreasonable length of time.

1223. Age of Persons Driving Vehicles for Hire.] § 32. Drivers or persons in charge of or driving vehicles for hire shall not be less than sixteen years of age.

1224. Lights on Automobiles.] § 33. It shall be unlawful for any self propelled vehicle to be kept or used upon any of the streets or public places of the City of Bloomington between one hour after sunset and one hour before sunrise of any night, unless such vehicle shall be equipped with and carry not less than one lamp or light, showing a white light, visible at least one hundred feet in the direction in which such vehicle is proceeding, and a red light visible at least one hundred feet in the reverse direction. Each day that any such vehicle shall be operated in violation of this section shall be, and is hereby made a separate offense and shall receive punishment accordingly.

1225. Lights—Shall be Dimmed.] § 34. It shall be unlawful for any person, firm or corporation operating any automobile, motorcycle or other vehicle upon the streets and other public places in the City of Bloomington, to use on such vehicle any acetylene, electric, or any like high power headlight, or any headlight the rays from which are intensified by any condensing lens in front of the light, or any condensing reflector or other device to intensify the rays from such light, unless such headlight shall be properly dimmed, covered or shaded so as not to blind or dazzle other users of such public streets or other public places, or make it unsafe for other users of the streets or public places to ride, drive or walk thereon.

Each day that such headlight shall be used in violation of the provisions of this section shall be deemed to be a separate offense, and the violator shall be punished accordingly.

1226. Assignment of Powers and Duties.] § 35. The Department of Public Affairs shall have and exercise all powers and duties in relation to the management of street traffic in the City of Bloomington.

1227. Penalty.] § 36. Any person violating any of the rules, regulations or provisions of this article shall be punished by a fine of not less than three dollars nor more than fifty dollars for each offense.

ARTICLE XLVI.

WATER WORKS.

Section.	Section.
1228. Taking Water From, or Injury to Hydrants.	1231. Wrenches, etc.—Furnished to Fire Department—Not to be Used Except.
1229. Interference With Hydrants, Stop-Cocks, etc.	1232. Public Fountains—Injury to—Carrying Away or Polluting Water In—Penalty.
1230. Interference With Service Pipes, Mains, etc.	

1228. Taking Water From, or Injury to Hydrants.] § 1. No person or persons, other than the members of the fire department of the city for the uses and purposes of said department, and those duly authorized by the ordinances of the City of Bloomington, shall open any of the hydrants of the Bloomington municipal water-works system, or attempt to take water therefrom, or in any manner interfere with or injure any of said hydrants.

1229. Interference With Hydrants, Stop-cocks, etc.] § 2. No person shall in any manner obstruct the free access to any of the hydrants of said system, or any stop-cock, meter, elevator, dial or shut off gauge connected with any of the water pipes of said system, by means of any coal, lumber, brick, building material or other article, thing or hindrance whatsoever, or refuse the free access thereto by the proper city authorities.

1230. Interference With Service Pipes, Mains, etc.] § 3. It shall be unlawful for any person or persons in any manner to interfere with any main or service water pipe of the Bloomington water-works system without first being authorized by the proper authorities of the City of Bloomington, and at the same time procuring a permit from the proper department of the city government, as required in these ordinances or any that may hereafter be passed by the city concerning such matters.

1231. Wrenches, etc.—Furnished to Fire Department—Not to be Used Except.] § 4. It shall not be lawful for any member of the fire department, or officer or other person connected therewith, to take the wrenches, tools or other implements, or to suffer or permit any of such wrenches, tools or other implements so furnished to be taken from the hose house of said companies except for a purpose connected with said fire department.

1232. Public Fountains—Injury to—Carrying Away or Polluting Water In—Penalty.] § 5. It shall not be lawful for any person or persons in any way to injure, mutilate or destroy any of the public drinking fountains, either for man or beast, in the City of Bloomington, or in any way or manner to waste unnecessarily the water therein, or with buckets, barrels or other vessels to carry the water away therefrom, or to injure, destroy or take away any cup or other convenience for public use placed or found at any of said fountains, or to tie any horse or other animal to any of said fountains, and any person or persons violating this section, or any of the provisions of any of the foregoing sections of this article, shall be subject to a penalty of not less than five dollars nor more than one hundred dollars for each offense.

ARTICLE XLVII.

WHEN ORDINANCE EFFECTIVE.

1233. When This Ordinance Shall Take Effect.] § 1. This ordinance shall take effect and be in full force from and after January first, 1918.

E. E. JONES,
Mayor.

Attest:

H. J. WILSON,
City Clerk.

Presented to the Council of the City of Bloomington, Illinois, this twenty-third day of November, 1917.

Passed by the Council of the City of Bloomington, Illinois, this thirtieth day of November, 1917.

Approved by the Mayor of the City of Bloomington, Illinois, this thirtieth day of November, 1917.

Recorded this thirtieth day of November, 1917.

Published this eighteenth day of December, 1917.

SPECIAL ORDINANCES

GRANTING SPECIAL RIGHTS AND
PRIVILEGES TO VARIOUS
COMPANIES, ETC.,

IN THE

CITY OF BLOOMINGTON

INDIANAPOLIS, BLOOMINGTON AND WESTERN RAILWAY COMPANY

ORDINANCE

AN ORDINANCE GRANTING THE RIGHT-OF-WAY TO THE INDIANAPOLIS, BLOOMINGTON, AND WESTERN RAILWAY COMPANY.

Be it Ordained by the City Council of the City of Bloomington:

That in consideration of the agreement and stipulations hereinafter contained, to be kept and performed by the Indianapolis, Bloomington and Western Railway Co., the said company is hereby granted the right-of-way for its road over and along and across the streets and alleys of said city, and is hereby authorized to use a reasonable portion of the streets and alleys of said city for its road, upon the following route, to-wit: Entering the city on the west line thereof, and crossing the Chicago and Alton railroad between Front and Washington Streets, running thence in an east and southeasterly direction, crossing Front Street between Orchard Lane and Morris Avenue; thence across Main Street between Mayer's mill and the old furniture factory; thence in a southeasterly direction to the city limits; but shall not enter any of the cemetery grounds unless the said city council shall pass an ordinance specially permitting said company so to do: *Provided, however*, and said right-of-way is hereby granted to said railroad company upon the following specific conditions, to-wit:

First—Said railroad company shall, at all times, during the construction of its road over, across or along any of the streets and alleys of said city, protect the public against accidents in the night time by lighting the streets and alleys on which it, its servants, agents or contractors are at work, or by otherwise, protecting persons on foot and teams from falling into excavations or suffering injury from other causes, by reason of the construction of said road; and shall, in all cases be liable to private parties for damages resulting to them by reason of the negligence of said company, its agents, servants, or any person or persons having in charge, by contract, or otherwise, the construction of said road through, across, and along any of the streets, alleys, ditches, sewers, or culverts of said city.

Second—Said railroad company shall construct, and at all times keep in good repair, and unobstructed suitable crossings, of the full width of each street and of easy grade, at the intersection of its road with each and every street now open, or which may hereafter be opened in said city, and suitable crossings of easy grade at the intersection of its road with every alley, ditch, sewer and culvert, and shall at all times keep every street and alley in and along which its road shall be constructed, in good repair for the use of carriages and teams; and shall construct and maintain sidewalks on both sides of every street now open, or which may hereafter be opened in said city, across the entire width of its right-of-way at the intersections of its road with all such streets, and across all land owned by it which

abuts on any street, whenever ordered by the city council, to lay any of the sidewalks respectively.

Third—Said railroad company shall, as soon as it shall begin to run within the limits of the city, at all times in the night, keep the intersections of its road with every street well lighted, and shall in like manner light the intersections of its road with any and all alleys, when ordered so to do by the said city council.

Fourth—Said railroad company shall have a bell of at least thirty pounds weight on each locomotive engine, which shall be rung at all times when the engine on which it is shall be in motion on its said road within the limits of this city.

Fifth—Said railroad company shall construct, and at all times maintain, within seventy rods of the place where its road shall cross Main street, in said city, suitable and sufficient freight and passenger depots for the transaction of its local business with the City of Bloomington.

Sixth—Said railroad company, its agents and servants, shall, at all times be subject to all general police ordinances and regulations now existing, and which may hereafter be adopted by the city council of this city, relative to railroads and railroad companies, their agents, and servants constructing and operating the same within the limits of the city.

Section 2. A failure by said railroad company, its servants, agents or contractors, or any of them, to comply substantially and in good faith, with each and every one of the conditions named in any of the foregoing six specific enumerations of conditions, except the fifth of said enumerations, shall subject said company for each and every one of such failures or violations, to a penalty of not exceeding one hundred dollars, which fine may be recovered before any police magistrate of said city, by proceeding in the nature of an action of debt, or as fines are, or may hereafter be, collected by said city, for the violation of its ordinances.

Section 3. A failure by said railroad company, its agents or servants, to comply with the fifth enumeration of conditions in the first section of this ordinance, shall work a forfeiture of all rights acquired by said railroad company under, and by virtue of this ordinance, for the right-of-way, as hereinbefore granted.

Section 4. Said railroad company, by entering upon and taking possession of any of the streets or alleys, or any part thereof, along said route, for the purpose of preparing a roadbed for its said road, over, across, or along said streets or alleys, thereby agrees to be bound by the foregoing ordinance, and each and everyone of the conditions and stipulations therein contained.

Section 5. This ordinance shall be in force as soon as published.

Approved October 8, 1869.

JOHN M. STILLWELL,
Mayor.

J. W. COMPTON, *City Clerk.*

**LAFAYETTE, BLOOMINGTON AND MISSISSIPPI
RAILWAY COMPANY**

ORDINANCE

AN ORDINANCE GRANTING THE RIGHT OF WAY TO THE LAFAYETTE, BLOOMINGTON, AND MISSISSIPPI RAILWAY COMPANY.

Section 1. *Be it Ordained by the City Council of the City of Bloomington:*

That in consideration of the agreements and stipulations hereinafter contained, to be kept and performed on the part of the Lafayette, Bloomington and Mississippi Railway Company, the said company is hereby granted the right-of-way for its road over, along and across the streets and alleys of said city, for its road, upon the following route, to-wit: Entering the city limits east of the cemetery, and east of the line of the I. B. and W. R. W., thence along the line of such railway, across Lincoln street and all other streets and alleys, up to and across Center street, in said city, along the line of the I. B., and W. R. W., as near as practicable: *Provided, however*, that the said right-of-way is granted to the said company upon the conditions following, to-wit:

First—Said railway company shall, at all times during the construction of its road over, across or along any of the streets and alleys of said city, protect the public against accidents in the night time, by lighting or other suitable notices at the streets and alleys on which they, their servants, agents or contractors are at work, or by otherwise protecting persons on foot and teams from falling into excavations or suffering injury from other causes by reason of the construction of said road, and shall, in all cases, be liable to private parties for damages resulting to them by reason of negligence of said company, its agents or servants, or any person or persons having in charge by contract or otherwise, the construction of said road through, across, and along any of the streets, alleys, ditches, sewers or culverts of said city.

Section 2. Said company shall construct and at all times keep in good repair and unobstructed, suitable crossings of the full width of each street, and of easy grade, at the intersections of its road with each and every street now open, or that may hereafter be opened, in said city, and suitable crossings of easy grade, at the intersections of its road with alleys, ditches, sewers and culverts, and shall at all times keep every street and alley in and along which its road shall be constructed, in good repair for the use of carriages, and shall construct and maintain sidewalks on both sides of every street now open, or which may hereafter be opened, in said city, across the entire width of its right-of-way. At the intersection of its road with all such streets, and across all lands owned by it which abut on any street, whenever ordered by the city council to lay any of said sidewalks

respectively. Everything required to be done by this section of this ordinance on the part of said railroad company, shall be done to the satisfaction of said city council, as they may from time to time direct.

Section 3. Said company shall, as soon as it shall begin to run its cars within the limits of the city, at all times in the night, keep the intersections of its road with every street well lighted, and shall in like manner light the intersections of its road with all alleys when ordered so to do by the said city council.

Section 4. Said company shall have a bell of at least thirty pounds weight, on each locomotive engine, which shall be rung at all times when the engine on which it is shall be in motion on its said road within the limits of this city. Said railroad company shall also be required at each intersection of its road with the streets of this city, to erect a gate over its said road, which gate shall be kept closed at all times except when opened for the purpose of allowing trains, locomotives and cars, to pass, or said company shall station a flagman at each intersection aforesaid, whose duty it shall be to warn passers-by of approaching trains, locomotives and cars, or either or both, as the city council may, from time to time direct.

Section 5. Said company, its agents and servants, shall at all times be subject to all general police ordinances and regulations now existing or which may be adopted by the city council under and by virtue of their power and authority to pass police ordinances for the government and control of railroads, their agents or servants, within the limits of this city.

Section 6. A failure by said company or its agents or servants, to comply with any of the foregoing provisions, shall subject said company to a penalty of not exceeding one hundred dollars, for each and every offense, which may be recovered as prescribed by an ordinance of said city council.

Section 7. Said railroad company, by entering upon and taking possession of any of the streets and alleys, or any part thereof, along said route, for the purpose of preparing a roadbed for its said road over, across or along said streets or alleys, thereby agrees to be bound by this ordinance, and each and everyone of the conditions and stipulations herein contained.

Section 8. This ordinance shall be in force from and after its publication.

Approved November 17, A. D. 1871.

B. F. FUNK,
Mayor.

Attest: WM. B. LAWRENCE, *City Clerk.*

**LAKE ERIE AND WESTERN
RAILWAY COMPANY**

ORDINANCE

AN ORDINANCE GRANTING PERMISSION TO THE LAKE ERIE & WESTERN RAILWAY COMPANY TO CROSS CERTAIN STREETS AND ALLEYS IN THE CITY OF BLOOMINGTON.

Be it Ordained by the City Council of the City of Bloomington:

Section 1. That permission is granted to the Lake Erie and Western Railway Company to lay a single track upon and across Main, Center, Madison, West, Lee, Marsh, Olive, Low, Grove, Orchard Lane, Front, Howard, Morris avenue and Loehr streets and intervening alleys at points on said streets lying wholly within the north and south lines of the right-of-way owned by the Indiana, Bloomington and Western Railway Company; said track to be laid across each of said streets except Main and Center at a uniform distance of fifteen (15) feet from the center line of the track of said Indiana, Bloomington and Western Railway Company.

Section 2. That permission is granted said railway company to lay a single track upon and across Washington street on an eight-degree curve to the right, seven hundred (700) feet west of the center of the main line track of the Chicago and Alton railroad, upon and across Stillwell street on a five (5) degree curve in a northwesterly direction; upon and across Market Locust and Chestnut streets and intervening alleys at points a little west of the Oak Grove road.

Section 3. Said railway shall lay but one track over said streets and alleys and shall not elevate said track above the grade of said streets, and shall grade and level each of said crossings, and plank the track between the rails over the whole of said streets, and shall provide by culverts and tiling for the drainage of all of said streets at the crossings thereof, all under the direction and supervision of the city engineer, and in case said track is laid across, over, upon or parallel to any city sewer, said railway company shall, under the direction and supervision of the city engineer, provide such means as may be necessary for the protection of such sewer or sewers, and in case any damage occurs to such sewer, or sewers, where said track is laid over, across, upon or parallel thereto, then said railway company shall at once, at its own expense, under the direction and supervision of the then city engineer, put said sewer in complete repair, using such means and precautions to prevent further damage to such sewer, or sewers, as shall be necessary. In default of such immediate action upon the part of said railway company to repair said sewer or sewers, it shall pay to the city the sum of two thousand dollars damages in addition to the costs and expenses of such repairs.

Section 4. Said railway company shall, whenever the city council may deem it necessary, provide lights, such as the city may then be using

at any or all of said street crossings. Said railway company shall, whenever required by the city council, provide watchmen at one or more of said street crossings.

Section 5. Said railway company shall, whenever the city council may deem it necessary, for the safety and convenience of the public, build a bridge for pedestrians and street travelers of every kind, over its said track at any one of said streets, which the council may designate, said railway paying one-half the expense thereof, and the Indiana, Bloomington and Western Railway Company the other half.

Section 6. This ordinance shall not authorize the laying of said track over said streets until said Lake Erie and Western Railway Company has filed with the city clerk an acceptance in writing of all its provisions.

Approved this 22nd day of July, A. D. 1887.

LEWIS B. THOMAS, *Mayor*.

Attest: R. N. EVANS,
City Clerk.

BLOOMINGTON AND NORMAL RAILWAY AND LIGHT COMPANY

ORDINANCE

AN ORDINANCE AUTHORIZING THE BLOOMINGTON AND NORMAL RAILWAY AND LIGHT COMPANY, A CORPORATION ORGANIZED AND DOING BUSINESS UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF ILLINOIS, ITS SUCCESSORS AND ASSIGNS, TO LAY DOWN STREET RAILROAD TRACKS AND CONSTRUCT, MAINTAIN, OPERATE AND REPAIR A SYSTEM OF STREET RAILWAYS IN, UPON, OVER AND ACROSS THE SURFACE OF CERTAIN STREETS, ALLEYS, AVENUES AND PUBLIC AND PRIVATE GROUNDS IN THE CITY OF BLOOMINGTON, IN THE COUNTY OF McLEAN AND STATE OF ILLINOIS.

Whereas, the owners of land representing more than one-half of the frontage of the streets, alleys and public grounds, or the portions thereof, upon which said railway is proposed to be constructed and operated, and of each mile and fraction thereof, have petitioned in writing for the construction, operation and maintenance of said railway by the Bloomington and Normal Railway and Light Company, its successors, lessees and assigns, as required by law, and said petition has been duly filed with and by the City Clerk of the said City of Bloomington, which said petition has been duly examined and checked, under the direction of the City Engineer of the said City of Bloomington, and has been found in all respects sufficient in law; to which petition, for greater certainty, reference is hereby made, and the same is hereby made a part hereof; and, whereas, the legal published notice required by law, has been made; now, therefore,

Be it Ordained by the City Council of the City of Bloomington, in McLean County, Illinois:

Section 1. That the right, power and authority is hereby given and granted to the Bloomington and Normal Railway and Light Company, a corporation, its successors, lessees and assigns, to use and occupy the public highways, streets, alleys and public grounds hereinafter named, for the operation of its street railway cars, and to lay down tracks and to build, lease, construct and thereafter maintain, operate, and repair its railway tracks thereon, together with switches, sidings, turn-outs, spurs, curves, wyes and connections with existing or future lines of said company, its successors, lessees and assigns, and with the lines of street railroad companies, and all necessary, suitable or convenient equipment, appliances or appurtenances for the conduct of a street railway business, in, upon, over, along and across the surface of the streets, public highways, alleys and public grounds in the said city of Bloomington, as follows, to-wit:

A double track street railway on Main street, from the south line of Chestnut street to the north line of the right-of-way of the Lake Erie & Western Railroad Company;

A double track street railway on West Washington street, from Main street to Allin street;

A double track street railway on East Front street, from Main street to Gridley street;

A single track street railway on Main street, from the north line of the right-of-way of the Lake Erie & Western Railroad Company to the southern city limits of the City of Bloomington;

A single track street railway on Allin street, from Washington street to Wood street; and on Front street from Allin street north thereof to Allin street south thereof;

A single track street railway on West Washington street from Allin street to the east line of the right of way of the Chicago & Alton Railroad Company;

A single track street railway on Chestnut street from Main street to Catherine street, on Catherine street from Chestnut street to the private ground of the Chicago & Alton Railroad Company, thence over the private right of way to the intersection of Allin and Walnut streets, thence on Walnut street from the private ground of the Chicago & Alton Railroad Company to Mason street, on Mason street from Walnut street to Seminary Avenue, on Seminary Avenue from Mason street to Center street, and a single track (without side tracks) on Center street from Seminary Avenue to Chestnut street.

A single track street railway on Market street from Main street to Hinshaw avenue (with the privilege of using the tracks of the Peoria, Bloomington and Champaign Traction Company), on Hinshaw avenue from Market street to Chestnut street, on Chestnut street from Hinshaw avenue to Western avenue, on Western avenue from Chestnut street to Seminary avenue;

A single track street railway on Main street from the south line of Chestnut street to Walnut street, on Walnut street from Main street to Clinton street, on Clinton street from northern city limits to Front street; with a switch from a point approximately one hundred (100) feet north of the north line of Empire street to a point approximately one hundred (100) feet south of Division street, without restricting the rights herein granted by general terms as to switches;

A single track street railway on Division street from Fell Avenue to Clinton street;

A single track street railway on Franklin Avenue from northern city limits to Beecher street, thence across Beecher street to Park street, and on Park street from Beecher street to Walnut street; and,

A single track street railway on Front street from Gridley street to Robinson street, on Robinson street from Front street to Washington street, on East Washington street from Robinson street to Vale street, on Vale street from Washington street to the southern city limits on Vale street; on Gridley street from Front street to Clay street, on Clay street from Gridley street to the Eastern city limits of said city on Clay street. All in said city of Bloomington, McLean County, Illinois.

Section 2. The said Bloomington and Normal Railway and Light Company, its successors and assigns, in the operation of the said line or lines of street railway in said city, may operate the same, by electricity as motive power, by the overhead system of distribution, or by any other motive power to be first approved by the City Council of said City by ordinance.

Section 3. The said Bloomington and Normal Railway and Light Company, its successors and assigns, are hereby expressly given the right, power and authority to erect and maintain on the said public highways, streets, alleys and public grounds, all necessary and suitable poles, and to string and maintain thereon span, feed, transmission, trolley, telephone and other wires for the conveyance of electricity for power, light and heat for propelling, heating and lighting its cars and for the proper conduct of its street railway business. The overhead wires of said grantee shall not be less than eighteen feet above the rails of the said street railway, and no other person or company shall thereafter place any wires below the wires of the Bloomington and Normal Railway and Light Company, its successors and assigns, in such a way as to obstruct the practical operation of its road. It being expressly understood, however, that the privileges herein and hereby granted shall not be construed as an exclusive grant of such privileges in and upon the streets, alleys, highways and public grounds in said city; and where any other street railway desires to use any of the trackage and overhead equipment of the grantee herein it may do so by furnishing similar privileges to the same extent upon its own railway line where grantee desires to use the latter. It being expressly understood, however, that any other street railway companies may use the tracks of the grantee when approaching the center of the city where necessary and where

permission to do so is granted by the City Council of the City of Bloomington, upon such terms and conditions as may be reasonable and customary for such service.

The said poles to be erected and maintained by virtue of this section shall be painted within six months after being placed in position. Slightly wooden poles may be used, except in such portions of the city as the City Council may now or hereafter prescribe as the underground wire district, in which all other electric light, power, telegraph and telephone wires are placed underground, and in such districts the said Bloomington and Normal Railway and Light Company, its successors and assigns, shall in the discretion of the City Council of the said city, erect and maintain iron or concrete poles. All poles in outside districts to be set under the supervision of the City Engineer and Street and Alley Committee; West Washington street to be supplied, when repaved, with concrete or iron poles.

Section 4. The tracks of the said company shall be of standard gauge, and tee rails, so laid that the tops of the rails will form as little obstruction as practicable in said streets in the use of the same by all the ordinary vehicles. Upon such streets as are paved the pavement shall be laid by the said company in such manner that the paving material shall be flush with the top of the said rails, inside and outside, as far as practicable, and on unpaved streets, that portion thereof used under the provisions of this ordinance shall be kept ballasted with cinders, gravel or other suitable material up to a level, as far as practicable, with the tops of the rails, both inside and outside the tracks, so that vehicles may readily cross the same without danger of injury to the vehicles, persons or property.

If said company should desire, it may diverge from any part of the route or routes above described, and enter upon and use for its right of way such private property as it may acquire by purchase, eminent domain, or otherwise, and the use of such private property for its right of way shall not in any manner affect its rights under this ordinance, to such portions of said public highways, streets, alleys and public grounds as it may occupy and use for its right of way; all in the said City of Bloomington.

Section 5. Whenever any such parts or portions of such streets as are in actual use and occupancy by the said street railway under the rights and privileges granted to it by this ordinance, shall hereafter be paved or ordered repaved by said municipality, the said company, its successors and assigns, shall, at the same time, and in the same manner, and with like material as is used in improving the remainder of the said street, pave such parts of such streets between its tracks and between its rails, and for a space of eighteen (18) inches on the outside of its rails; and such portions of said paving as are herein provided to be done by said company, shall thereafter be kept in repair by the said company at its own expense. All pavement disturbed or torn up, or displaced by reason of the construction and maintenance of the tracks of the said company, or by the operation of the said railway business, shall be restored to its former condition, and kept in a reasonably safe and satisfactory condition thereafter.

And provided further, that when any of the streets so occupied by the Bloomington and Normal Railway and Light Company, its successors and assigns, under the provisions of this grant, shall hereafter be paved or repaved, or any of the cross streets or alleys over which the said company shall operate its lines shall be paved or repaved, the City of Bloomington agrees at the election of grantee to let the contract for the entire work, and the grantee herein, its successors and assigns, shall then pay the City of Bloomington, in cash, the cost of paving such portions of the streets as may lie between the tracks and between the rails of the said grantee, and eighteen (18) inches outside thereof, upon the completion of the improvement by the contractor, and the acceptance thereof.

And provided, further, that at the election of the grantee, its successors and assigns, the cost of the said improvement shall be divided into installments by the commissioner levying the special assessment to pay the cost of the improvement, in the same manner as assessments levied against private property abutting the line of the improvement are made by law; that such division of the cost thereof shall be for the convenience of the grantee, its successors and assigns, and the said grantee, its successors and assigns, by the acceptance of the provisions of this grant, bind themselves, their successors, and assigns to pay each and every of said installments as the same may become due; and in the event of failure thereof, the same may be returned to the County Collector as delinquent taxes, and the franchises, rights, privileges, conveyances, rails, tracks, poles, wires and appurtenances of the said company along the line of the said improvement may be sold at tax sale to pay the installments as the same may become due; that the lien of the special assessment upon such properties shall be a first lien and as near as may be treated the same as an assessment against abutting property.

It is further provided, that where the streets now occupied by the Bloomington and Normal Railway and Light Company, or the Bloomington and Normal Railway, Electric and Heating Company, for street railway purposes have heretofore been improved by paving and assessments for part of the cost thereof assessed against the said Bloomington and Normal Railway and Light Company, or the Bloomington and Normal Railway, Electric and Heating Company, that the same shall be liens against the property of either or both of those companies located in the streets as aforesaid; that the said Bloomington and Normal Railway and Light Company agrees to pay each and every of the installments for such improvements as they severally become due, and in the event of default, the same may be certified to the County Collector as delinquent assessments and collected as aforesaid; or to pursue any other remedy which the city may have in the premises. It being expressly understood and agreed, however, that the manner of collection of the installments due for paving provided for in this section of this ordinance shall be cumulative with whatever other remedies the City of Bloomington may have. That it shall also have the right to seize any of the property of the said Bloomington and Normal Railway and Light Company, its successors and assigns, and sell the same at public sale for the satisfaction of any amounts which may be due and unpaid. It

being expressly understood and agreed that should any of the installments now due or hereinafter to become due be not paid when due, that then all other unpaid installments shall at once become due and payable and the City of Bloomington permitted to pursue whatever remedy may to it be deemed best to collect the several amounts due.

It is expressly understood and agreed, however, by the acceptance of the provisions hereof that the provisions relative to paying the cost of paving that portion of the street herein provided for when the residue shall be paved, is one of the material considerations entering into the provisions hereof and the terms of this grant.

Section 6. The cars of said company, its successors and assigns, shall at all times be entitled to the right of way of said tracks within said municipality, and whenever any car or cars are approaching, any vehicle or foot passenger upon said tracks shall turn out, so as not to impede or interfere with the running speed of such car or cars, provided, however, that fire engines and fire vehicles going to fires and vehicles of the Police Department shall have a superior right of way. Nothing herein contained shall be construed as relieving said company, its officers, agents and employees from exercising ordinary care to avoid injury to pedestrians and travelers upon the streets occupied by the grantee, its successors and assigns, over, upon or across such streets as the company's cars may run; nor shall anything herein be construed as a grant to the said company, its successors and assigns, the right to run its cars at a high and dangerous rate of speed, nor at a greater speed than may now or hereafter be lawfully provided; nor to relieve the officers, agents, servants and employes of the said company or companies from stopping its cars for a reasonable length of time for funeral and other processions when requested by police officers of the said city.

The person in charge of the cars of the grantee shall exercise due care and caution to avoid obstructing, impeding or interfering with the proper movement of vehicles belonging to the Fire Department and Police Department of the city; when any such vehicle is approaching such car at high speed, the person in charge of the latter shall, upon suitable warning of such approach, and as soon as practical, bring such car to a stop for the purpose of avoiding a collision.

At all steam railway crossings all cars of the grantee shall be brought to a full stop at least ten feet before coming to such crossing, except where grantee or such railroad has flagmen or gatemen and then not to cross until said flagman signals the motorman that the tracks are clear, and before starting to pass over such crossing, an employe of the grantee shall go upon such railway crossing and ascertain that there is no visible danger in running such car over such crossing.

Section 7. All motor cars used by said grantee on said street railway shall be provided with gongs of sufficient size to give warning of the approach of such cars for a distance of at least one hundred feet, and such gong shall be sounded when necessary at least fifty feet before such cars

shall reach any street intersection and all other places where the public safety may require an alarm to be given.

Section 8. The grantee may transport along and upon its lines, in suitable cars, such material, appliances and equipment as it may need for the construction, maintenance and operation of its said street railways; it may carry upon its cars passengers and if it so desires, mail for the Government of the United States; it may operate funeral cars, observation cars and other special cars as it may elect for the transportation of persons; provided, however, that transportation of material, supplies, appliances, tools and equipment and the operation of special cars shall not be permitted to unnecessarily interfere with or delay the carriage of passengers.

Section 9. The said company is hereby authorized and granted the right and power to cross at grade any and all existing or future lines of railroad or railroad tracks in the said City of Bloomington; and also to construct temporarily wyes, curves, switches, and connections to and with any said line or lines of railways for the purpose of transferring, for its convenience, street railway cars and such material, supplies, appliances and tools as it may need in the construction, maintenance and operation of its street railway system. It being expressly understood, however, that after the necessity for the temporary construction shall terminate that said connection shall be disconnected immediately upon the order of the City Council. It being the intention of this grant to convey only such powers as are necessary to the practical operation of a street railway business for the transportation of passengers for hire.

Nothing herein contained, however, shall be construed as an irrevocable grant of the right to cross at grade any railway crossing during the period of this grant, but should the City Council hereafter order or require the construction of any street viaducts or street subways over or under the track or right of way of any railroad where the same crosses or intersects with any of the streets or alleys in the City of Bloomington, then it may do so notwithstanding the grants herein and hereby made to the said Bloomington and Normal Railway and Light Company, its successors and assigns. And should the said City provide or require any railroad company or companies other than Grantee to provide any viaducts or subways over or under its or their tracks upon streets covered by this grant, that then the Grantee herein shall find other suitable crossings for itself or use the said subways or viaducts upon such terms as may be hereafter agreed upon by said City, and upon the payment of a reasonable proportion of the cost of such viaducts or subways.

Section 10. The right to grant the privilege of using the tracks of the said Bloomington and Normal Railway and Light Company, its successors or assigns, to any interurban railway company entering said City of Bloomington and regularly operating to a point not less than ten miles distant from the said City in a northerly or easterly direction, is hereby reserved to the said City; provided, that any such electric interurban railway com-

pany shall pay to the Bloomington and Normal Railway and Light Company, its successors or assigns, a reasonable price therefor, not to exceed twenty-five (25c) cents per car mile for such trackage rights and for power to operate and light but not to heat its cars, and shall enter into a contract with the Bloomington and Normal Railway and Light Company, its successors or assigns, upon the usual terms and conditions governing such trackage agreements.

And provided further, that any such electric interurban railway company shall not be granted the right of exercising such privilege as to materially interfere in any respect with the traffic and business of the Bloomington and Normal Railway and Light Company.

Nothing herein contained shall be construed to restrict the right of the Bloomington and Normal Railway and Light Company to permit the use of its said railways and tracks by any companies associated with it upon such terms and conditions as said Bloomington and Normal Railway and Light Company may from time to time arrange. Nothing in this ordinance shall be construed to enlarge, interfere with, diminish or impair rights heretofore granted the Peoria, Bloomington & Champaign Traction Company and the Chicago, Bloomington and Decatur Railway Company, or either of them, their respective successors or assigns.

Section 11. On all streets where the right is granted herein to construct and operate a double track, the grantee shall have the right and power to construct necessary switches and cross overs from one track to another, but shall not construct or maintain sidings in addition to its tracks.

Section 12. Nothing in this grant shall be construed to authorize the grantee, its successors or assigns, to install, construct or operate a commercial telephone or telegraph business in connection with its street railway business.

Section 13. The said grantee, its successors and assigns, shall furnish free transportation to the members of the police and fire departments of the City of Bloomington, when in uniform.

Section 14. Within a reasonable length of time after the passage, approval and acceptance hereof, the grantee, its successors and assigns, shall so arrange its tracks on Main street that cars may be run through upon connecting routes and the street as far as practicable kept free and open at all times.

Section 15. The grantee, its successors and assigns, shall maintain during the period hereof, a first class street railway system along the same general lines, with natural, reasonable and proper extensions and betterments of the system, as at the present time in handling the local street railway business. That the said grantee, its successors, and assigns, shall furnish for the service of its patrons, first class modern cars and equipment; that they shall be heated in cold weather and kept reasonably comfortable at all times; that they shall be well lighted within and carry a suitable and sat-

isfactory headlight on the forward end of the car during all trips after dusk and in the night time; each car shall be labeled, showing in a clear, legible manner the route upon which the car is traveling, or the district which it serves; that in the night time the labels of the cars shall be illuminated so that the car may be readily known from a distance of not less than seventy-five feet before it reaches a crossing. The cars shall be manned by competent men, reasonably well skilled in the use of electricity to the extent to which it is used by a motorman in the operation of a car.

Section 16. The bond provided for in Paragraph 1824, Section 5, Article 46, Chapter XII, of the Revised Ordinances and Laws of the City of Bloomington, Illinois, 1900, entitled, "Street Railroads," shall be given upon the acceptance of this ordinance by said company.

Section 17. The grantee, its successors and assigns, shall operate a sprinkling car upon its lines from May first until October first each year, sprinkling that portion of the street occupied by it when necessary twice each day in the business district and once each day in the residence district, said city to furnish the necessary water for that purpose.

Section 18. When grantee lays a double track on West Washington street it shall defray the expense of excavation, dirt removal, labor and paving in widening said street between Roosevelt avenue and Allin street, to the extent necessary to make the paved portion thereof forty-five (45) feet in width, and shall also replace all hitching posts, water and sewer improvements and sidewalks now extending from the curb of said street to the lateral sidewalk, in as good condition as the same were before said street was widened, all if ordered so to do by the City Council.

Section 19. Said company shall at its own expense construct, maintain and at all times keep in good condition and repair, drains and culverts under its said tracks along said streets where its tracks are laid, so as not to obstruct but to afford ready means to carry off the water from falling rains or melted snows, and in such a manner as not to obstruct unnecessarily safe and convenient use by the public at such places over said tracks already covered.

Nothing in this grant contained shall be construed as an obligation upon the part of the said City to build a bridge for the use of the Grantee, its successors and assigns, over the bed of a stream known as "Sugar Creek" where it crosses Clinton Street or Clinton Street produced;

Nor shall anything in this ordinance contained be construed as a waiver or release by said Company of its easements or rights or interests in or to an easement or right of way or other privileges in, upon, over, along and as to that portion of the route hereinabove described which extends from Empire street along what is known as Clinton street, northward to what is known as Division street, and also from University avenue through the west side of Park street or the Illinois Wesleyan University grounds northward to Beecher street, and also on Franklin avenue from said Beecher

street northward to said Division street, and also on Division street from Clinton street westward to Fell avenue.

Section 20. During the term of this ordinance the rates of fare charged by Grantee shall be as follows: Five (5) cents for any single continuous passage in the same general direction over said heretofore authorized railways within the present or future corporate limits of said City of Bloomington, or any point within the City of Normal, and when it shall be necessary for a passenger in such passage to transfer from one car to another, Grantee shall arrange for such transfer. Provided, the grantee shall sell upon its cars, subject to such reasonable regulations as it may provide, six (6) tickets for transportation fares for twenty-five cents (25c); children under six (6) years of age shall be carried free when accompanied by one regular passenger. And provided further, that the Grantee, its successors or assigns, shall also sell at its general offices in said city to school children, upon presentation of a certificate of the principal or person in charge of the said school, that such child or person is a pupil of and regularly attending such school, books containing forty (40) tickets, valid within sixty (60) days from date of sale, for one dollar, each of which tickets shall entitle the pupil named on the cover of such book to one ride between the hours of 7:30 A. M. and 5:00 P. M. during the days the said school is in regular or special session. It being expressly understood that the right to use such tickets shall accrue to all pupils attending school in the City of Bloomington, whether the schools are public or private, but not including college or high school students over sixteen years of age.

Section 21. The said company, its successors and assigns, shall save and keep harmless the said City of Bloomington from and on account of any and all damages or causes of action accruing by reason of the erection, construction, operation and maintenance of its tracks, cars, overhead construction, and in fact all matters of damages arising out of the construction or operation of its street railway business or the use of electricity by it during the life of this grant.

Section 22. Whenever in this ordinance the term "Company" or "Grantee" or "Lessee" is used, it shall be held to include and mean the Bloomington and Normal Railway and Light Company, its successors and assigns; and whenever the term of "City," "said City," or "municipal corporation" are used, they shall be held to mean the said City of Bloomington.

Section 23. Said company shall within sixty (60) days after the passage of this ordinance file with the City Clerk of the City of Bloomington, in writing, its unconditional acceptance of the terms of this ordinance, the same to be executed by the duly authorized officers of the said street railway company for itself, its successors and assigns, so when accepted it shall be mutually binding upon said company, its successors and assigns and the City of Bloomington. Coupled with said acceptance shall also be a release, cancellation and waiver by said Bloomington and Normal Railway and Light Company, and said Bloomington and Normal Railway and

Light Company shall cause to join with it in its said release and waiver the Bloomington and Normal Railway, Electric and Heating Company, which said instrument shall release, cancel and waive all rights or claim to rights of every kind and character for the operation of street railways which the said Bloomington and Normal Railway and Light Company, or the Bloomington and Normal Railway, Electric and Heating Company now claim by virtue of any ordinance passed by the City of Bloomington heretofore granting such rights to it or them, or the Bloomington and Normal Railway Company, the Bloomington City Railway Company, the Bloomington and Normal Horse Railway Company, or any person or persons, firm or corporation, heretofore, releasing and waiving also all such rights or claim of such rights for the operation of street railways or any privilege in such use of any street, alley or public place in the City of Bloomington by reason of the adoption of any resolution or motion, or the granting of the prayer of any petition heretofore by the City Council of said City, or the claim of any such right or privilege for operation of street railways in or to any street, or alley or public place in the City of Bloomington by reason of a sufferance of use, by way of estoppel or otherwise, leaving this ordinance, when passed, published and approved, the only ordinance under or by virtue of which the said Bloomington and Normal Railway and Light Company, its successors or assigns, shall claim any franchise, right, privilege or conveyance in or to any highway, street, alley or public place in the said City for street railway purposes.

Section 24. Any person who shall wilfully remove or break any of the wires or appliances used by the Grantee herein in the operation of its said street railways, or who shall wilfully, maliciously or unlawfully interfere with the Grantee in the operation of its said street railway system, shall upon conviction be fined not less than three nor more than one hundred dollars for each offense.

Section 25. Any person impeding or interfering with the speed or operation of any car or cars of Grantee upon said street railway shall, upon conviction, be fined not less than One (\$1) Dollar nor more than One Hundred (\$100) Dollars.

Section 26. The said Grantee, its successors or assigns, shall construct its said street railway tracks on the aforesaid streets whenever the tracks now laid shall be relaid, as nearly as practicable in the center of said streets, with eleven or twelve feet width between centers of tracks where double track railways are herein granted to be laid, so that said street railway cars may pass each other in safety.

Section 27. Said Company may exercise the rights hereby granted it on any highway or part thereof, or by any one provision of this ordinance, notwithstanding its right may be disputed enjoined or held to be invalid over any other highway or part thereof or under any provision of this ordinance, it being the intent of said City Council that, notwithstanding the rights hereby granted may be disputed, enjoined or held to be invalid

as to any street or highway or part thereof, the grant hereby made may be exercised and held to be valid over all the other highways or parts thereof mentioned in this grant, the same as if a separate grant had been made over each of said highways or parts thereof.

Section 28. In consideration of the rights and privileges herein and hereby granted, in addition to those heretofore formulated, the said company agrees to make the following payments, and at no other time during the term of this ordinance shall it be required to make any other or further payments to said city; provided, however, such payments shall not relieve the said company, its successors and assigns from the payment of a car tax not to exceed ten (\$10) dollars, per car per year, or from its ordinary and general taxes as may be levied or assessed against all property holders, such payments as follows:

Thirty (30) days after the expiration of one year from date of final passage of this ordinance, and on the corresponding date of each succeeding year thereafter during the term of this ordinance, said company shall pay to said city a sum of money equal to two per cent (2%) annually of the gross receipts of said company from its street railway business in the present or future limits of said city, for the year ending thirty (30) days prior to date of payment.

Provided, further, that after the expiration of ten (10) years from such date of final passage of this ordinance, and during the following ten (10) years of the term hereof, such percentage shall be doubled and said company shall pay four per cent (4%) of the gross receipts of the company from its street railway business in said city, instead of two per cent (2%) of the said receipts as above provided. It being expressly understood and agreed that the grantee herein guarantees that at no time during the life of this grant shall its gross receipts from such street railway business be less than \$170,000 annually; or in other words said company covenants and guarantees that its payments to said city hereunder during the first ten (10) years of the life of this grant shall in no year be less than Thirty-four Hundred Dollars (\$3400), and, further, that during the last ten (10) years of this grant such payment shall in no year be less than Sixty-eight Hundred Dollars (\$6800); provided further, that in view of the difficulty of determining absolutely the exact amount of the entire gross receipts of said railway arising from operation in said City of Bloomington, it is hereby agreed, for the purposes of this ordinance, that such portions of said gross receipts from operation in said City of Bloomington shall be taken and held to be eighty-five per cent (85%) of the entire gross receipts from the operation of the railway of said company, during such time as Normal is a separate corporation from Bloomington.

When said company, its successors and assigns, makes its payments to the said city, of two and four per cent of the gross receipts, as above provided for, it shall at the time accompany its remittance with an itemized statement of the gross receipts of said company, the truth of which statement shall be sworn to by the Auditor of said company; and should the city

so desire, the Comptroller, or any other officer or person authorized by the City Council of said city, shall have free access to the books of the company, so far as said books pertain to the gross receipts, for the purpose of checking up and further verifying the truth of the sworn statement above provided for.

Section 29. If at the expiration of the rights under and by virtue of this grant, said company, its successors and assigns, has not acquired the right to operate its street railway for an additional period in the said city, then the said company agrees that the city shall have the right upon giving twelve months' notice in writing of its intention so to do, which said notice shall be given at least one year and not more than two years before the expiration of twenty years from date of final passage hereof, to purchase and take over the entire street railway system of said company within said city, including all property then existing which constitutes said street railway system and also all extensions of said additions to said street railways within said city; provided, that said city shall at such time have power so to do at such price as may be agreed upon by the said city and said company. Or upon a failure so to agree, then for such price as may be fixed by a board of arbitration, to consist of five persons, of whom a majority shall decide all questions.

In the event of such arbitration of purchase of said railways, said city shall give written notice of its intention so to arbitrate and name therein one arbitrator, and said company, within two months after receipt of such notice, shall name in writing one arbitrator, the two arbitrators so selected, within twenty days thereafter, shall select three disinterested persons, non-residents of said city, and of McLean County, at least one of whom shall be a practical engineer, familiar with the construction and operation of street railways and the market values of all materials entering into the construction and operation of street railways; or on failure of said company to name an arbitrator, or such first two arbitrators so to name such additional arbitrators within the times hereinbefore specified, a Judge of the Circuit Court of McLean County, in the State of Illinois, may name either or all, as the case may be, upon application of said city. In the event of default, disability or refusal to act of any such arbitrator, his place may be filled in the same manner provided for making his appointment.

The price which said city shall pay for said property shall be its value as a going property for street railway purposes at the time in question, and in addition, ten per cent (10%) of such value. The said city shall forthwith after said arbitration and the expiration of this grant, accept and pay for said property at such valuation so fixed by arbitration, plus ten per cent (10%) as above provided; provided, that said ten per cent (10%) shall not be taken into account by said arbitrators on arriving at such valuation; and provided further, that said arbitration shall be concluded within, at or prior to the expiration of twenty years from and after the date of final passage hereof.

It is expressly understood and agreed, however, that the option of purchase herein shall not be considered to extend the term of the rights

granted under and by virtue of this ordinance, nor limit nor abridge any of the rights which the city may have thereafter in the premises at the expiration of the period of this grant, but that the said option is an additional right which it shall have at the time in question.

Section 30. That an ordinance entitled, "An Ordinance granting to the Bloomington and Normal Horse Railway Company the right to lay down, maintain and operate a single track railway on certain streets in the City of Bloomington," approved March 26, 1867; and,

An Ordinance entitled, "An ordinance for permission to extend the Bloomington and Normal Horse Railway Company," approved March 24, 1883; and,

An ordinance entitled, "An ordinance for permission to build a horse railway on East Front street," approved April 5, 1884; and,

An ordinance entitled, "An ordinance for permission to build a horse railway on Washington street, Robinson and Front streets," approved February 7, 1885; and,

An ordinance entitled, "An ordinance for permission to build a horse railway on Washington street," approved March, 1885; and,

An ordinance entitled, "An ordinance providing for the extension of the Bloomington and Normal Horse Railway Company's line on South Main street," approved June 4, 1887; and,

An ordinance entitled, "An ordinance providing for the grant of a franchise to J. J. Patterson, W. W. Irvine and H. S. McCurdy and their assigns, to lay and operate a street railway track on Wood, East Walnut, North Clinton and West Market streets," approved April 21, 1888; and,

An ordinance entitled, "An ordinance providing for the granting of a franchise to the Bloomington City Railway and its assigns, to lay and operate a street railway track on South Main street to the city limits," approved June 16, 1888; and,

An ordinance, "An ordinance granting to the Bloomington City Railway permission to operate street railway track on Center street and Seminary avenue," approved August 10, 1888; and,

An ordinance entitled, "An ordinance for permission to Bloomington City Railway to operate track on Allin street from Washington street to Wood street," approved October 12, 1888; and,

An ordinance entitled, "An ordinance granting permission to the Bloomington City Railway Company and Bloomington and Normal Horse Railway Company to operate their cars by electricity and to erect and maintain poles and wires for that purpose," approved May 25, 1889; and,

An ordinance entitled, "An ordinance providing for the amendment of an ordinance for the granting of a franchise to the Bloomington and Normal Horse Railway Company and the Bloomington City Railway to run and operate its cars by electric motive power, and to erect upon the streets along their lines of street railway the necessary poles and to suspend therefrom the necessary wires to operate said electric motor power," approved November 9, 1889; and,

An ordinance entitled, "An ordinance for permission to build a street railway on Allin street between Moulton and Wood streets," approved July 10, 1897; and,

An ordinance entitled, "An ordinance granting to the Bloomington and Normal Railway and to its successors and assigns, the right to locate, construct, maintain and operate a street railway upon Catherine street, north of Chestnut street, and upon the alley running east from the north end of Catherine street to the alley running north next east of Catherine street, thence north on said alley to the center of Walnut street, and on Walnut street from its west end to the center line of Mason street, thence north on Mason street to the center line of Seminary avenue; also from the center line of Front street, south on Gridley street to the center line of Clay street, thence east on Clay street to the eastern corporate limits of the city; also on Clinton street from the north line of University avenue to the south line of Walnut street," approved May 17, 1902; and amendment thereto, approved June 14, 1902; and,

An ordinance entitled, "An ordinance granting to the Bloomington and Normal Railway, Electric and Heating Company, a corporation, its successors and assigns, the right and permission to construct and maintain an additional railway track on Front street from the east line of Gridley street to the west line of Main street, and the right to operate a railway upon, and along the same on the said street, in the City of Bloomington, Illinois," approved August 10, 1906; and,

An ordinance entitled, "An ordinance granting to the Bloomington and Normal Railway, Electric and Heating Company, a corporation, its successors and assigns, the right and permission to construct and maintain an additional railway track on Main street from the south line of Chestnut street to Jefferson street, and the right to operate a railway upon and along the same on the said street in the City of Bloomington, Illinois," approved August 10, 1906; and,

An ordinance entitled, "An ordinance granting to the Bloomington and Normal Railway, Electric and Heating Company, and its assigns, the right, power and permission to construct, maintain and operate street railway upon and along certain streets and public places in the City of Bloomington, Illinois," approved December 15, 1906, be, and the same are hereby repealed.

Section 31. The rights and privileges herein granted to the Bloomington and Normal Railway and Light Company, its successors and assigns, on all streets, alleys and public grounds herein set forth, shall extend to, for and during the full period of twenty years from and after the final passage of this ordinance.

Section 32. This ordinance shall take effect from and after its final passage, approval, publication and acceptance thereof by the grantee, in writing.

Passed this 25th day of June, A. D. 1909.

Approved this 26th day of June, A. D. 1909.

R. L. CARLOCK, *Mayor*.

Attest:

HARRY E. RHODES, *City Clerk*.

ACCEPTANCE

BLOOMINGTON, Ill., July 9, 1909.

The Bloomington & Normal Railway & Light Company, for itself, its successors and assigns, hereby accepts unconditionally a certain ordinance passed by the City Council of the City of Bloomington, McLean County, Illinois, June 25, 1909, and approved by the Mayor of said City, June 26, 1909, and entitled:

“An ordinance authorizing the Bloomington & Normal Railway & Light Company, a corporation organized and doing business under and by virtue of the laws of the State of Illinois, its successors and assigns, to lay down street railroad tracks and construct, maintain, operate and repair a system of street railways in, upon, over and across the surface of certain streets, alleys, avenues and public and private grounds in the City of Bloomington in the County of McLean and State of Illinois.”

And all the rights and privileges in and by said ordinance granted, all according to the terms and conditions thereof.

And further, said Bloomington & Normal Railway & Light Company hereby waives and releases all rights, or claim to rights of every kind and character for the operation of street railways which said Bloomington & Normal Railway & Light Company now claims by virtue of any ordinance, resolution or motion heretofore adopted by said City, or the granting heretofore of the prayer of any petition by the City Council of said City granting such rights to it, the Bloomington & Normal Railway, Electric & Heating Company, the Bloomington & Normal Railway Company, the Bloomington City Railway Company, or the Bloomington & Normal Horse Railway Company, or any person or persons, firm or corporation; or by reason of sufferance of use by way of estoppel or otherwise:

Excepting always from this waiver and release said ordinance first above described, passed June 25, 1909, and hereinabove and hereby accepted by said Bloomington & Normal Railway & Light Company.

BLOOMINGTON & NORMAL RAILWAY & LIGHT CO.,

By W. B. MCKINLEY, *President.*GEO. M. MATTES, *Assistant Secretary.*

The Bloomington & Normal Railway, Electric & Heating Company, at the request of the aforesaid Bloomington & Normal Railway & Light Company, hereby concurs and joins in the foregoing waiver and release of the rights, or claim to rights, described in the foregoing instrument, without joining, however, in the acceptance of said ordinance first above described, passed June 25, 1909, and granting certain rights, powers and authority to said Bloomington & Normal Railway & Light Company, this instrument being executed and filed in pursuance of the provisions of Section 23 of said first described ordinance.

BLOOMINGTON & NORMAL RAILWAY, ELECTRIC & HEATING COMPANY,

By W. B. MCKINLEY, *President.*GEO. M. MATTES, *Assistant Secretary.*

ORDINANCE

AN ORDINANCE AUTHORIZING THE BLOOMINGTON AND NORMAL RAILWAY AND LIGHT COMPANY, A CORPORATION, ITS SUCCESSORS AND ASSIGNS TO CONSTRUCT, LEASE, MAINTAIN AND OPERATE A STREET RAILWAY UPON PUBLIC HIGHWAYS HEREINAFTER NAMED IN THE CITY OF BLOOMINGTON, ILLINOIS.

Whereas, petition of the owners of the majority of the real estate frontage upon the highways hereinafter named and of each mile and a fraction thereof measured from the initial points named in such petitions, along such public highways, as required by law have been duly filed with the City Clerk of the City of Bloomington, McLean County, Illinois, requesting the City Council of said City to grant by ordinance to the Bloomington and Normal Railway and Light Company, a corporation, its successors, lessees and assigns the right and authority to construct, lease, maintain and operate a street railway upon and along said hereinafter named highways; and

Whereas, the Bloomington and Normal Railway and Light Company has petitioned said City Council for the right and authority to construct, maintain and operate a street railway upon said hereinafter named highways and has given more than ten days' public notice of the time and place of presenting its application to said City Council for said right and authority by publication in the Bulletin, a newspaper published in said city as appears from copy of said publication and a certificate of the publisher of said paper attached thereto filed with said City Clerk, and in all other respects has duly complied with the laws and statutes of this State in relation to the presentation of its said application and with respect to obtaining said right and authority.

Therefore, be it Ordained by the City Council of the City of Bloomington, McLean County, Illinois.

Section 1. That the right, power, permission and authority are hereby granted said Bloomington and Normal Railway and Light Company, a corporation, its successors, lessees and assigns to construct, maintain, lease and operate single track railway together with all necessary or convenient sidings, turnouts, spurs, curves and connections with any original or future lines of grantee and also all necessary or convenient equipment, appliances and appurtenances for said railway in, upon, over and along the surface of the following described public highways in the City of Bloomington, McLean County, Illinois, namely:

Jefferson street from the intersection of Main street to the intersection of Madison street and across all intersecting streets and public places.

Center street from the intersection of Monroe street to the intersection of Washington street, and across all intersecting streets and public places, all in said City of Bloomington, Illinois.

Section 2. And further the right, privilege and authority are hereby granted said Bloomington and Normal Railway and Light Company, its suc-

cessors, lessees and assigns, with the consent of the Peoria, Bloomington and Champaign Traction Company, its successors, lessees and assigns, to use the present track and appliances of the said Peoria, Bloomington and Champaign Traction Company, its successors and assigns, where now laid in said Jefferson street between said Madison street and Center street, and in said Center street between said Monroe and Washington streets, during such portion of the term of this ordinance and any extension or renewal hereof as said track and appliances last described shall be maintained by said Peoria, Bloomington and Champaign Traction Company, its successors and assigns.

Section 3. Said Bloomington and Normal Railway and Light Company agrees that upon constructing its tracks in that portion of said Jefferson street above described where no track is now laid, namely: between Main street and Center street and in that portion of said Center street above described where no track is laid namely; between Jefferson street and Washington street it will pay to the treasurer of said City of Bloomington for distributing or apportioning among the owners of property abutting upon such last described portions of said Jefferson and Center streets, upon which such tracks shall be so laid such sum, according to the determination and certificate of the City Engineer of said City, as shall equal the original cost of so much of such paving as shall be included between and for eighteen (18) inches outside the rails of such track according to the respective abutting frontages of such property owners.

Section 4. Within eighteen (18) months from and after date of acceptance of this ordinance said Bloomington and Normal Railway and Light Company, its successors and assigns shall complete and have ready for operation, and shall thereafter operate over, that portion of said Center street which lies between Washington and Jefferson streets and that portion of said Jefferson street which lies between said Center and Main streets not less than six (6) regular scheduled cars during each day of twenty-four (24) hours.

Section 5. The right, privilege and authority for the said line of street railway are hereby made subject to all of the terms and conditions except where herein expressly limited, prescribed in and by a certain ordinance passed by the City Council June 25, 1909, approved by the Mayor of said city June 26, 1909, and entitled, "An Ordinance authorizing the Bloomington and Normal Railway and Light Company, a corporation organized and doing business under and by virtue of the laws of the State of Illinois, its successors and assigns, to lay down Street Railroad tracks and construct, maintain, operate and repair a system of street railways, in, upon, over and across the surface of certain streets, alleys, avenues and public grounds in the City of Bloomington, in the County of McLean and State of Illinois," under and by virtue of which said ordinance grantee now owns and operates a system of street railways in said city, said ordinance being hereby expressly referred to and its terms made a part hereof by reference. It being expressly provided that Section 28 of said last described ordinance providing for a certain compensation to the said city extending by its terms

to additional lines of railway of grantee in said City shall also be applicable to the lines of street railway authorized under this ordinance, said lines being intended to be a part of the system of street railways of grantee.

Section 6. Within thirty days after final passage of this ordinance grantee shall file with the Clerk of said City its written acceptance of the terms and provisions hereof and when so accepted this ordinance shall be binding upon said Bloomington and Normal Railway and Light Company, its successors and assigns and said City of Bloomington as a contract.

Section 7. This ordinance shall be in full force and effect from and after its final passage, approval, and acceptance as herein provided and due publication.

Passed by the City Council of the City of Bloomington, McLean County, Illinois, this 17th day of December, A. D. 1909.

Approved by the Mayor of said City of Bloomington, Ill., this 18th day of December, A. D. 1909.

R. L. CARLOCK, *Mayor*.

Attest:

HARRY E. RHODES, *City Clerk*.

ACCEPTANCE

The Bloomington and Normal Railway and Light Company, a corporation, for itself, its successors and assigns hereby accepts a certain ordinance passed by the City Council of the City of Bloomington, McLean County, Illinois, December 17, 1909, approved by the Mayor of said City December 18, 1909, and entitled, "An Ordinance Authorizing the Bloomington and Normal Railway and Light Company, a corporation, its successors and assigns to construct, lease, maintain and operate a street railway upon public highways hereinafter named in the City of Bloomington, Illinois," and all the rights and privileges in and by said ordinance granted; all according to the terms and provisions thereof.

BLOOMINGTON & NORMAL RAILWAY & LIGHT CO.,

By W. B. McKINLEY, *President*.

Attest:

GEO. M. MATTES, *Assistant Secretary*.

Dated at Bloomington, Illinois, December 29th, 1909.

ORDINANCE

AN ORDINANCE AUTHORIZING THE BLOOMINGTON AND NORMAL RAILWAY AND LIGHT COMPANY, A CORPORATION ORGANIZED AND DOING BUSINESS UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF ILLINOIS, ITS SUCCESSORS, LESSEES AND ASSIGNS, TO LAY DOWN STREET RAILWAY TRACKS AND CONSTRUCT, MAINTAIN, OPERATE AND REPAIR A SYSTEM

OF STREET RAILWAYS IN, UPON, ALONG AND ACROSS THE SURFACE OF CERTAIN STREETS IN THE CITY OF BLOOMINGTON IN THE COUNTY OF McLEAN AND STATE OF ILLINOIS AND AUTHORIZING SAID COMPANY TO TAKE UP PORTIONS OF ITS STREET RAILWAY TRACKS NOW LOCATED IN THE STREETS OF SAID CITY.

Whereas, the owners of land representing more than one-half of the frontage of streets or portions thereof upon which the extensions of said railway is proposed to be constructed and operated hereunder and of each mile and fraction thereof have petitioned in writing for the construction, operation and maintenance of said railway by the Bloomington and Normal Railway and Light Company, its successors, lessees and assigns as required by law, and said petition has been duly filed with the City Clerk of the City of Bloomington; and,

Whereas, due notice as required by law has been given,

Now, therefore, be it Ordained by the City Council of the City of Bloomington McLean County, Illinois:

Section 1. That the right, power and authority is hereby given and granted to the Bloomington and Normal Railway and Light Company, a corporation, its successors, lessees and assigns to construct, lease, maintain and operate a street railway, together with all necessary or convenient switches, turn outs, spurs and connections with any present or future line of said Company and also all necessary or convenient equipment, appliances or appurtenances for said railway in, upon, over and along the surface of the following named public highway in the City of Bloomington, County of McLean, and State of Illinois, namely:

On Clay street beginning at the intersection of said street with McGregor street and extending along said Clay street to Mercer avenue.

Section 2. The right, power and authority is hereby given the said Bloomington and Normal Railway and Light Company to discontinue operation of cars over and to tear up and remove its street railway tracks, ties and other property and appliances appurtenant thereto now laid on Vale street beginning at the intersection of said Vale street with the north line of Taylor street west of Vale street and extending along said Vale street to Clay street and said Company upon the removal of its said rails, ties, and other appliances from said portion of said street shall leave the same in good and satisfactory condition for public use and restore the level and surface of said street to the same condition as nearly as may be as before the tracks were removed therefrom.

Section 3. The right, privilege and authority hereby granted to said Bloomington and Normal Railway and Light Company to construct an extension of its said railway track shall be subject to the same terms and conditions in all respects as were laid down in an Ordinance entitled: "An Ordinance authorizing the Bloomington and Normal Railway and Light Company, a corporation organized and doing business under and by virtue of

the laws of the State of Illinois, its successors and assigns, to lay down street railroad tracks and construct, maintain, operate and repair a system of street railways in, upon, over and across the surface of certain streets, alleys, avenues and public and private grounds in the City of Bloomington, in the County of McLean and State of Illinois," and passed by the City Council of said City of Bloomington on the 25th day of June, A. D. 1909, and approved on the 26th day of June, A. D. 1909, as if said street upon which the right to construct an extension is herein granted had been named and designated in said Ordinance, and further that the right, power and authority hereby granted the said Bloomington and Normal Railway and Light Company to discontinue the use of and to tear up a portion of its street railway tracks as now constructed and operated shall in no wise affect, modify or change in any manner whatsoever any right of said Bloomington and Normal Railway and Light Company conferred by said prior ordinance upon any other street, highway, alley or public place designated therein, or in any other Ordinance heretofore passed.

This Ordinance shall take effect and be in force for twenty (20) years from and after its final passage, approval and acceptance by the Bloomington and Normal Railway and Light Company in writing.

Passed this 26th day of April, A. D. 1912.

Approved this 27th day of April, A. D. 1912.

A. L. MOORE, *Mayor*.

Attest:

HARRY E. RHOADS, *City Clerk*.

ACCEPTANCE

CHAMPAIGN, Illinois, May 12, 1912.

The Bloomington and Normal Railway and Light Company for itself, its successors, lessees and assigns, hereby accepts a certain ordinance, passed by the Mayor and City Council of the City of Bloomington, McLean County, Illinois, the 26th day of April, A. D. 1912, and approved by the Mayor of said City on the 27th day of April, 1912, and entitled,

"An Ordinance authorizing the Bloomington and Normal Railway and Light Company, a corporation organized and doing business under and by virtue of the laws of the State of Illinois, its successors, lessees and assigns, to lay down street railway tracks and construct, maintain, operate and repair a system of street railways, in, upon, over, along and across the surface of certain streets in the City of Bloomington, in the County of McLean and State of Illinois and authorizing said Company to take up portions of its street railway tracks now located in the streets of said City."

And all the rights, authority and privileges in and by said ordinance granted, all according to the terms and provisions thereof.

BLOOMINGTON & NORMAL RAILWAY & LIGHT COMPANY,

By W. B. MCKINLEY, *President*.

Attest:

H. MACAULEY, *Secretary*.

ORDINANCE

AN ORDINANCE AUTHORIZING THE BLOOMINGTON & NORMAL RAILWAY & LIGHT COMPANY, A CORPORATION ORGANIZED AND DOING BUSINESS UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF ILLINOIS, ITS SUCCESSORS, LESSEES AND ASSIGNS, TO LAY DOWN STREET RAILWAY TRACKS AND TO CONSTRUCT, MAINTAIN AND OPERATE A SYSTEM OF STREET RAILWAYS, IN, UPON, OVER, ALONG AND ACROSS THE SURFACE OF A CERTAIN PUBLIC HIGHWAY IN THE CITY OF BLOOMINGTON, IN THE COUNTY OF McLEAN AND STATE OF ILLINOIS.

Whereas, the owners of land representing more than one-half of the frontage of the public highways or portions thereof upon which the tracks of the railway proposed to be constructed hereunder are to be laid, have petitioned the City Council of the City of Bloomington, Illinois, in writing, to authorize the construction, maintenance and operation of said railway by the Bloomington & Normal Railway & Light Company, its successors, lessees and assigns, which petition has been duly filed with the City Clerk of said City; and,

Whereas, due notice by publication, as required by law, has been given; now therefore,

Be it Ordained by the City Council of the City of Bloomington, McLean County, Illinois:

Section 1. That the right, power and authority be, and hereby are given and granted to the Bloomington & Normal Railway & Light Company, a corporation, its successors, lessees and assigns, to construct, lease, maintain and operate a single or double track street railway, together with all necessary or convenient switches, turnouts and spurs, and connections with any present or future line of said Company and also all necessary or convenient equipment, appliances or appurtenances for said street railway in, upon, over, along and across the surface of the following named public highways in the City of Bloomington, County of McLean and State of Illinois, namely:

Franklin avenue, from the intersection thereof with Beecher street, northwardly to the north corporate limits of said city, and across all intersecting streets, alleys and public places;

Also Beecher street from a point on private property on the north side thereof within approximately thirty (30) feet of the east line of said Franklin avenue, thence southwardly across said Beecher street to private property on the south side thereof.

Section 2. The right, power and authority hereby granted to said Bloomington & Normal Railway & Light Company, its successors and assigns, to construct, maintain, and operate said street railway shall be subject to the same terms and conditions in all respects as set forth in the ordinance entitled,

“An Ordinance authorizing the Bloomington & Normal Railway & Light Company, a corporation organized and doing business under and by virtue

of the laws of the State of Illinois, its successors and assigns, to lay down street railway tracks and to construct, maintain, operate and repair a system of street railways in, upon and across the surface of certain streets, alleys, avenues and public and private grounds in the City of Bloomington, County of McLean and State of Illinois.”

Passed by the City Council of said city, June 25, and approved June 26, 1909, as if said public highways or portions thereof upon which the right to construct said street railway is hereby granted had been named and designated in said ordinance passed June 25, 1909, save as herein expressly otherwise provided.

Section 3. Said Company, its successors and assigns, are hereby authorized to construct, maintain and operate said railway and tracks, together with all suitable poles, wires, cables and appliances for transmission of electrical energy, wherever said Company, its successors or assigns, may from time to time desire, within a strip of ground thirty (30) feet in width, having its east line parallel with and thirty-five (35) feet west of the east line of said Franklin avenue, and extending from the north corporate limits of said City southward to the intersection of said Beecher street, with suitable curves and connections from said strip at a point approximately fifty (50) feet north of the north line of said Beecher street, thence southeastwardly across said Franklin avenue to and upon private right of way of said Company, and thence southwardly to and across said Beecher street to the south line thereof.

Said company may at any time hereafter double track any portion of said line of railway which may then be single track.

Section 4. In case at any time said city shall arrange for the parking or boulevarding of any portion of said Franklin avenue, occupied or to be occupied by said railway, said Company, its successors and assigns, shall be relieved of all obligation to pave any portion of said Franklin avenue, except where the same is intersected by other streets, at which said intersections, said Company shall pave that portion of Franklin avenue within its tracks and eighteen inches outside of the rails thereof, but said Company, in lieu of further paving, shall pay for the cost of curbing in the usual manner and with customary curbing on either side of said thirty (30) foot strip when balance of said Franklin avenue is paved.

Section 5. This ordinance shall take effect and be in force for twenty (20) years from and after its final passage, approval and acceptance by the Bloomington & Normal Railway & Light Company in writing.

Passed this 28th day of March, A. D. 1913.

Approved this 29th day of March, A. D. 1913.

JAS. COSTELLO,

Mayor of the City of Bloomington, Illinois.

Attest:

HARRY E. RHODES, *City Clerk,*

ACCEPTANCE

BLOOMINGTON, Ill., April 29, 1913.

The Bloomington & Normal Railway and Light Company, a corporation, for itself, its successors, lessees and assigns, hereby accepts a certain ordinance passed by the City Council of the City of Bloomington, on the 28th day of March, A. D. 1913, and approved by the Mayor of said city on the 29th day of March, A. D. 1913, entitled:

“An Ordinance authorizing the Bloomington & Normal Railway & Light Company, a corporation organized and doing business under and by virtue of the laws of the State of Illinois, its successors, lessees and assigns, to lay down street railway tracks and to construct, maintain and operate a system of street railways, in, upon, over, along and across the surface of a certain public highway in the City of Bloomington, in the County of McLean and State of Illinois.”

And all the rights, authority and privileges in and by said ordinance granted, all according to the terms and provisions thereof.

BLOOMINGTON & NORMAL RAILWAY & LIGHT CO.,

By W. B. MCKINLEY, *President*.

Attest:

GEO. M. MATTES, *Assistant Secretary*.

ORDINANCE

AN ORDINANCE GRANTING TO THE BLOOMINGTON & NORMAL RAILWAY & LIGHT COMPANY, ITS SUCCESSORS, LESSEES AND ASSIGNS, THE RIGHT, POWER AND AUTHORITY TO ERECT AND MAINTAIN POLES AND TRANSMISSION WIRES OVER CERTAIN STREETS AND UPON THE RIGHT-OF-WAY OF THE PEORIA & EASTERN RAILWAY COMPANY AND THE LAKE ERIE AND WESTERN RAILROAD COMPANY.

Be it Ordained by the City Council of the City of Bloomington:

Section 1. That the right, power and authority are hereby granted to the Bloomington & Normal Railway & Light Company, its successors, lessees and assigns to erect and maintain, lease and use poles, transmission, feeder, guy, light, power and other wires, appliances for the conveyance, conducting and use of electricity for light, power, heat and other purposes in and beyond the City of Bloomington, upon, over and across all of the intersecting streets, alleys and public places, crossing or adjacent to the right-of-way of the Peoria & Eastern Railway Company (Cleveland, Cincinnati, Chicago & St. Louis Railway Company) and Lake Erie & Western Railroad Company, from the southern limits of the City of Bloomington for the entire route and right-of-ways of said railroad companies, across or through said city to the western limits of said City of Bloomington.

Section 2. The said poles as far as practicable are to be erected upon said rights-of-way of said railways, and where erected in street intersections,

are to be placed as far as practicable at the curb lines, and under the general superintendence of the Street and Alley Committee of the City Council of said city. That the work hereunder shall be done under the general supervision of the City Electrician of said city.

Section 3. This grant is made upon the further condition that when the long distance transmission wires shall be strung upon the said poles under the provisions of this grant, the said grantee, its successors, lessees and assigns shall adopt and use catenary construction at the intersection of the following crossings in said city: Madison street, Center street, Main street, East street, Gridley street, and Lincoln street, as shown by blue print hereto attached, and made a part of this ordinance, for the purpose of protecting all persons and property in the City of Bloomington from danger and injury. And this consent is given upon the express condition that the said Bloomington & Normal Railway & Light Company, its successors, lessees and assigns shall pay all damages that may be sustained, during the life of this grant, to individuals or property, and that the grantee will save and keep the City of Bloomington harmless from all damages and liability for damages that may be sustained by reason hereof or the construction or operation of the said pole line and transmission wires, and indemnify the said city against any losses, suits, or costs which the said city may incur or become liable for by reason of the construction, operation and maintenance of the said pole and transmission wire line. That whenever said transmission line shall be extended and constructed west of Roosevelt avenue, the City Council shall designate over what street intersections catenary construction shall be placed by said grantee or its successors or assigns.

Section 4. All rights under and by virtue of this ordinance shall cease and determine twenty years from the date of the passage hereof.

Section 5. This ordinance shall be in full force and effect upon and after its passage, approval and acceptance in writing.

Passed by the City Council of the City of Bloomington, this 21st day of May, A. D. 1909.

Approved by the Mayor of the City of Bloomington this 22d day of May, A. D. 1909.

R. L. CARLOCK, *Mayor*.

Attest:

HARRY E. RHOADS, *City Clerk*.

ACCEPTANCE

CHAMPAIGN, ILLINOIS, May 27, 1909.

The Bloomington & Normal Railway & Light Company, for itself, its successors and assigns, hereby accepts a certain ordinance passed by the City Council of the City of Bloomington, Illinois, the 21st day of May, A. D. 1909, and approved by the Mayor of said city, entitled,

“An ordinance granting to the Bloomington & Normal Railway & Light Company, its successors, lessees and assigns, the right, power and authority

to erect and maintain poles and transmission wires over certain streets and upon the right-of-way of the Peoria & Eastern Railway Company and the Lake Erie & Western Railroad Company,''

And all the rights, authority and privileges in and by said ordinance granted, all according to the terms and provisions thereof.

BLOOMINGTON & NORMAL RAILWAY & LIGHT Co.,

By WM. MCKINLEY, *President*.

Attest:

GEO. M. MATTES, *Assistant Secretary*.

BLOOMINGTON AND NORMAL RAILWAY, ELECTRIC AND HEATING COMPANY

ORDINANCE

AN ORDINANCE GRANTING TO A. E. DE MANGE, AND TO HIS ASSIGNS, THE RIGHT TO LAY AND MAINTAIN A SYSTEM OF PIPES, BOXING AND NECESSARY FITTINGS AND CONNECTIONS UNDER THE ALLEYS, STREETS AND PUBLIC PLACES IN THE CITY OF BLOOMINGTON, THROUGH WHICH TO CONDUCT HOT WATER FOR THE HEATING OF RESIDENCES, PUBLIC BUILDINGS AND BUSINESS HOUSES IN THE CITY OF BLOOMINGTON.

Be it Ordained by the City Council of the City of Bloomington:

Section 1. That A. E. DeMange, or his assigns, be and they are hereby authorized and permitted to excavate necessary trenches and to lay therein and maintain for thirty years from and after November 1, 1901, the necessary pipes and all necessary boxing, fittings and connections, with all necessary and requisite boxing and insulation, and other appurtenances under the alleys, streets and public places in the City of Bloomington, Illinois.

Said pipes to be used for the purpose of conducting and distributing hot water for the distribution of heat to public buildings, business houses, residences, and all other structures, where heat may be required.

Section 2. That the permit and right granted in and by section 1 of this ordinance is granted upon the express condition that the said A. E. DeMange, or his assigns, shall protect the city of Bloomington from any and all damages, if any, which may be suffered by any person or persons; or which may be caused to the property or rights of any person or persons, if any, on account of such excavations and the laying of such pipes and boxing in the streets, alleys and public places of said city.

Said pipes, boxing, and all necessary appurtenances where practicable, shall be laid in the alleys only; and where alleys are not available, they shall be laid in the space between the outer edge of the sidewalk and the curb line of the street, and where it is not practicable to lay them in the alleys or in the street between the sidewalk and curb line, they may be laid in the streets on lines to be designated by the city council of the City of Bloomington, and in such cases where the streets are paved, excavation shall be

made and said pipes, boxing, or any part thereof, and all fittings, connections and appurtenances shall be laid and the excavations filled and pavement replaced in accordance with the requirements of the ordinances of said city applicable thereto and in accordance with the provisions of any contract or bond then in force between said city and the contractor by whom the street was paved.

And in all cases in whatever part of the alleys, streets, or public places such excavations shall be made, the surface thereof shall be restored to the same condition as before said excavation by said DeMange or his assigns.

And the said A. E. DeMange, or his assigns, shall make said necessary excavations and lay said pipes and boxing and appurtenances without damage to such gas, water, sewer or other pipes, as may at the time of said excavations be made, be in the alleys, streets and public places in the city of Bloomington and shall protect said city from any claim for damages that may arise therefrom.

And the said A. E. DeMange, or assigns, shall so lay said pipes, boxing, fittings and connections as not to interfere with any main or branch of the sewerage system of said city, now or hereafter to be laid, and subject to the right of said city to change the grade of the surface of said alleys, streets and public places whenever the city council of said city shall so ordain.

And the said DeMange and his assigns by the acceptance of the provisions of this ordinance agree that during all the time that they or either of them shall maintain and operate said system of pipes and boxing, or any part thereof, they will protect the City of Bloomington from all damages which may happen to persons or property on account of the maintenance of such pipes and boxing, or any part thereof or on account of the distribution of hot water through said pipes.

Section 3. Should it become necessary for the proper distribution of heat to excavate and lay pipes and boxing in any of the streets or alleys or other public place now covered with brick or other paving, the said DeMange and his assigns do hereby agree that all the provisions and conditions of the ordinances of the city of Bloomington applicable to such excavations shall first be complied with before such excavations are made and that such excavations and the relaying of the pavement in the places where such excavations shall be made, shall be done in accordance with all the provisions of the ordinances of the city of Bloomington applicable thereto.

Section 4. That the said A. E. DeMange or his assigns shall have a plant for the distribution of said hot water fully installed and equipped and ready to furnish hot water for heating, and shall have at least one mile of pipes laid for the distribution of heat by hot water on or before November 1, 1901; and in default thereof this ordinance shall be void. And thereafter if so installed said heating plant shall furnish heat to all consumers desiring the same contiguous to its mains and laterals during all the hours, day and night, during the seasons of the respective years when heat is required. And if required said DeMange or his assigns shall from and after November 1,

1902, furnish hot water for the heating of the City Hall Building, when the same shall have been properly equipped therefor, free of charge to the city of Bloomington.

Section 5. That said A. E. De Mange or his assigns shall file with the city clerk of the city of Bloomington an instrument in writing, within twenty days from the passage of this ordinance accepting all the terms, conditions and provisions of this ordinance, whereupon it shall at once take effect, and in default thereof the same shall be void; and said acceptance shall be presented by the city clerk to the city council and become a part of the record of its proceeding.

Passed this 20th day of April, 1900.

Approved this 21st day of April, 1900.

LEWIS B. THOMAS, *Mayor*.

Attest:

C. C. HASSLER, *City Clerk*.

ACCEPTANCE

To the Honorable, the Mayor, and the City Council of the City of Bloomington:

GENTLEMEN—For myself and my assigns, I accept all the terms, conditions and provisions of the ordinance granting to me and my assigns the right to lay and maintain a system of pipes, boxings, necessary fittings and connections under the alleys, streets and public places in the city of Bloomington, through which to conduct hot water for the heating of residences, public buildings and business houses in the City of Bloomington, passed April 20, 1900, and approved April 21, 1900, and published in the City Council Proceedings of April 27, 1900, page 643.

A. E. DEMANGE.

Bloomington, Ill., May 4, 1900.

ORDINANCE

AN ORDINANCE AMENDING SECTION 4 OF AN ORDINANCE, GRANTING TO A. E. DE MANGE AND TO HIS ASSIGNS THE RIGHT TO LAY AND MAINTAIN A SYSTEM OF PIPES, BOXING AND NECESSARY FITTINGS AND CONNECTIONS UNDER THE ALLEYS, STREETS AND PUBLIC PLACES IN THE CITY OF BLOOMINGTON, THROUGH WHICH TO CONDUCT HOT WATER FOR THE HEATING OF RESIDENCES, PUBLIC BUILDINGS AND BUSINESS HOUSES IN THE CITY OF BLOOMINGTON, APPROVED APRIL 21ST, 1900.

Whereas, By Section 4 of an Ordinance of the City of Bloomington, A. E. DeMange, or his assigns, as a condition of the Ordinance grant by the City of Bloomington, approved April 21st, 1900, was obligated, if required, from and after November 1st, 1902, to furnish hot water for the

heating of the City Hall building, when the same should be properly equipped therefor, free of charge to the City of Bloomington; and

Whereas, The said Ordinance, approved April 21st, 1900, was by the said A. E. DeMange duly accepted for himself and his assigns, by an instrument in writing presented to this Council on the 4th day of May, 1900; and

Whereas, The said A. E. DeMange, on the 15th day of September, 1900, assigned the said Ordinance and all its franchises, rights and privileges therein to him granted, to The City District Heating Company, a corporation organized under the laws of the State of Illinois; and

Whereas, The Bloomington & Normal Railway, Electric & Heating Company is the lawful successor of the said City District Heating Company, and the assignee and grantee of all its rights, privileges and franchises; and

Whereas, It has become expedient for the said City of Bloomington to require the said Bloomington & Normal Railway, Electric & Heating Company, as the successor of the said A. E. DeMange and of the said City District Heating Company, to heat the building known as the Central Fire Station, erected during the year 1902, at Nos. 220, 222 and 224 East Front street, in the City of Bloomington, and to release the said Bloomington & Normal Railway, Electric & Heating Company as the successor to and assignee of the grant, rights, privileges and franchises hereinbefore mentioned, from the obligation to heat the City Hall building of the said City of Bloomington, as required by said Section 4, of, said Ordinance, approved April 21st, 1900; therefore,

Be it Ordained by the City Council of the City of Bloomington, as follows:

That Section 4 of an Ordinance granting to A. E. DeMange and to his assigns the right to lay and maintain a system of pipes, boxing and necessary fittings and connections under the alleys, streets and public places in the City of Bloomington, through which to conduct hot water for the heating of residences, public buildings and business houses, in the City of Bloomington, approved April 21st, 1900, be and the same is hereby amended so as to read as follows:

Section 4. That the said Bloomington and Normal Railway, Electric and Heating Company, successor to and assignee of the grant, rights, privileges and franchises mentioned and described in this Ordinance, and its successors and assigns, shall have a plant for the distribution of said hot water, fully installed and equipped, ready to furnish hot water for heating, and shall have at least one (1) mile of pipes laid for the distribution of heat by hot water on or before November 1st, 1901, and in default thereof, this Ordinance shall be void, and thereafter said heating plant shall furnish heat to all consumers desiring the same contiguous to its mains and laterals, during all the hours, day and night, during the seasons of the respective years when heat is required, and if required said Bloomington and Normal Railway, Electric and Heating Company, or its successors and assigns, shall furnish hot water circulation, free of charge, so long as it, its successors and assigns shall operate its plant and distribute heat in the City of

Bloomington, for the heating of the Central Fire Station, located at Nos. 220, 222 and 224 East Front street, in the City of Bloomington, Illinois, from and after the six (6) inch mains and airline pipe hereinafter mentioned shall have been extended for that purpose and from and after the said City of Bloomington has equipped the said building known as the Central Fire Station with the necessary piping and necessary radiation as hereinafter in this section specified. The said hot water circulation to be ample for the thorough heating of said house during all heating seasons and in the coldest weather, except when said company may be prevented from furnishing the same by a strike or strikes, fire, lightning, storm or accident.

The said Bloomington & Normal Railway, Electric & Heating Company, by its acceptance of the provisions of this amendment agrees to extend its six inch mains and air line pipe from their present terminus in the alley between Washington, Main, Front and East streets, eastwardly through the alley extending due east therefrom, to the eastern terminus of said alley, and then through private ground to a point twenty feet east of the west line of Prairie street, the said extension to be completed on or before the 1st day of December, 1902, provided said extension shall be made upon the following express conditions:

1. The City of Bloomington shall pay the entire cost of the extension of said six-inch mains and air line pipe, with necessary valves, expansion joints and other fittings, from their present terminus in said alley to any point in the rear of said Fire Station which may be designated by the said Bloomington & Normal Railway, Electric & Heating Company; the contract for the extension of said mains, with the said necessary appurtenances, to be let by the said company to the lowest responsible bidder, and the said city to pay the contract price agreed upon by such bidder to the Bloomington & Normal Railway, Electric & Heating Company within the time agreed upon in said contract. Provided, the said City of Bloomington shall, after said bids have been received and opened, have the privilege, if it so desires, of doing the work and furnishing the material necessary in constructing said extension as above provided.

2. The said City of Bloomington to procure for the said Bloomington & Normal Railway, Electric & Heating Company, a right of way for its said six-inch mains and air line pipe to the said point to be designated by the said Bloomington & Normal Railway, Electric & Heating Company in the rear of said Fire Station as aforesaid, thence due east to a point twenty feet east of the west line of Prairie street, with the right of access thereto for repairs, connections and other necessary purposes, or in default thereof, to grant to the said Bloomington & Normal Railway, Electric & Heating Company the right to extend its six-inch mains and air line pipe from the said point in the rear of the said Fire Station, across said city's property, due south to a point nineteen feet south of the north line of Front street, with the same right of access for the said mentioned purposes.

3. The said City of Bloomington shall, at its own expense, equip its said Fire Station with the quantity or number of square feet of water radiation, valves and necessary fittings, to be specified by the said Company, and

distribute the same in the various parts of the said Fire Station, in accordance with specifications to be furnished to it, the said City, by the said Company, and shall connect the same with the necessary supply and return piping, in accordance with specifications to be furnished by the said Company, and shall pay the cost of the necessary connections between the said mains and air line pipe and the said piping and radiation in the said Central Station House, and shall install in said Engine House a Powers thermostat regulator, properly connected, in accordance with the specifications to be furnished by the said Company.

4. The said City of Bloomington shall have no property right or interest whatsoever in the said six-inch mains and air line pipe so extended for the purpose in this section set out, except the right to have its said Central Fire Station House heated by hot water circulation to be taken from and returned to the said mains, but the same shall be the exclusive private property of the said Bloomington & Normal Railway, Electric & Heating Company, subject, however, to all of the provisions and conditions of the said Ordinance grant approved April 21, 1900.

The acceptance of the provisions of this amended Section 4 of the said Ordinance, approved April 21, 1900, shall constitute a contract between the said City of Bloomington and the said Bloomington & Normal Railway, Electric & Heating Company, for the object and purpose set forth in this section.

Section 2. This ordinance shall be in full force and effect from and after its passage.

Passed this 24th day of October, 1902.

Approved this 25th day of October, 1902.

LEWIS B. THOMAS, *Mayor*.

Attest:

C. C. HASSLER, *City Clerk*.

ACCEPTANCE

To the Honorable, the Mayor, and the City Council of the City of Bloomington:

We accept the provisions of the ordinance passed October 24, 1902, and approved October 25, 1902, amending section 4 of the ordinance approved April 21, 1900, granting the right to lay and maintain a system of pipes, fittings, etc., under the alleys, streets and public places through which to conduct hot water for the heating of residences, public buildings and business houses in the City of Bloomington.

We are having plans and specifications prepared for the extension of the six-inch mains therein mentioned and will proceed with the matter as rapidly as circumstances will permit.

Respectfully submitted,

BLOOMINGTON & NORMAL RAILWAY, ELECTRIC & HEATING CO.,

By A. E. DEMANGE, *President*.

BLOOMINGTON ELECTRIC LIGHT COMPANY

ACCEPTANCE

The Bloomington Electric Light Company accepts of the provisions pertaining to electric light companies in an ordinance entitled "An ordinance for the regulation and control of telephone, telegraph and electric light companies," approved 4th day of May, 1889, and hereby stipulates with the City of Bloomington that it desires to do business thereunder.

BLOOMINGTON ELECTRIC LIGHT COMPANY,

R. W. MURPHY, *President.*

CALVIN RAYBURN, *Secretary.*

ORDINANCE

AN ORDINANCE FOR THE EXTENSION OF THE RIGHTS AND PRIVILEGES OF THE BLOOMINGTON ELECTRIC LIGHT COMPANY UNDER THE ORDINANCE ENTITLED AN ORDINANCE FOR THE REGULATION AND CONTROL OF TELEPHONE, TELEGRAPH AND ELECTRIC LIGHT COMPANIES, APPROVED MAY 4, 1889, AND ACCEPTED BY SAID BLOOMINGTON ELECTRIC LIGHT COMPANY, NOVEMBER 8, 1889.

Be it Ordained by the City Council of the City of Bloomington:

Section 1. That the permission, right and privilege of the Bloomington Electric Light Company, its successors and assigns, to erect poles and string wires thereon upon the streets and alleys of the City of Bloomington and to maintain the same, provided for and granted to telephone, telegraph and electric light companies by an ordinance of the City of Bloomington approved May 4, 1889, accepted in writing by the said Bloomington Electric Light Company on the 8th day of November, 1889, be and the said permission, right and privilege are hereby extended in favor of said Bloomington Electric Light Company for a period of twenty-six (26) years from May 4, 1909, and until the 4th day of May, 1935.

Section 2. That this extension to the Bloomington Electric Light Company of the said permission, right and privilege provided for in said ordinance of May 4, 1889, and the said acceptance thereof by the said Bloomington Electric Light Company, is granted subject to the provisions contained in sections four, five, six, seven, eight, nine, ten and eleven and fifteen of an ordinance of the city of Bloomington for the regulation and control of telephone, telegraph, electric light, electric power and other electric companies, approved November 15, 1890.

Section 3. In consideration of the granting of the extension herein provided for of the rights and privileges defined in said ordinance approved May 4, 1889, the said Bloomington Electric Light Company agrees to furnish, when requested, to the said city of Bloomington at any and all of its

city buildings or offices, all needed electric light or power, or both, at a rate per year of fifty (50) per cent less than the lowest rate at which such electric light or power is furnished to any of its patrons, after all discounts are figured, provided that such reduced cost of light and power shall not estop the city of Bloomington from collecting an annual tax upon poles and wires in said city when such tax becomes uniform upon the poles and wires of all companies doing business in said city and when such a tax can legally be levied.

Section 4. This ordinance shall not be in force until the said Bloomington Electric Light Company, its successors and assigns, shall file with the city clerk of said city an acceptance of its provisions with a stipulation that it desires to continue in business in the city of Bloomington under the provisions of this ordinance and the provisions of the ordinance approved May 4, 1889, and sections four, five, six, seven, eight, nine, ten, eleven and fifteen of the said ordinance approved November 15, 1890, for the period herein provided for.

Passed this 3rd day of August, 1900.

Approved this 4th day of August, 1900.

LEWIS B. THOMAS, *Mayor*.

Attest:

C. C. HASSLER, *City Clerk*.

ACCEPTANCE

To the Honorable, the Mayor and City Council of the City of Bloomington:

GENTLEMEN—This company, for itself, its successors and assigns, accepts the provisions of the ordinance entitled an "Ordinance for the Extension of the Rights and Privileges of the Bloomington Electric Light Company under the ordinance entitled an Ordinance for the Regulation and Control of Telephone, Telegraph and Electric Light Companies, approved May 4th, 1889," accepted by said Bloomington Electric Light Company November 8th, 1889, passed August 3rd, 1900, and approved August 4th, 1900. And this company stipulates that it desires to continue in business in the city of Bloomington under the provisions of the said ordinance passed August 3, 1900, and approved August 4, 1900, for the period of time therein named, and under the provisions of the said ordinance approved May 4, 1889, and the provisions of sections four, five, six, seven, eight, nine, ten, eleven and fifteen of the Ordinance for the Regulation and Control of Telephone, Telegraph, Electric Light, Electric Power and other Electric Companies, approved November 15, 1890.

BLOOMINGTON ELECTRIC LIGHT COMPANY

By A. E. DEMANGE, *President*.

August 8, 1900.

CONSUMERS HEAT AND ELECTRIC COMPANY**ORDINANCE**

AN ORDINANCE GRANTING TO GEORGE S. HANNA, J. C. COLE AND WOLF GRIESHEIM, AND TO THEIR SUCCESSORS OR ASSIGNS, THE RIGHT TO MANUFACTURE, SELL, DISTRIBUTE, DELIVER AND DISPOSE OF STEAM AND ELECTRICITY WITHIN THE CITY OF BLOOMINGTON, ILL., FOR THE PURPOSE OF HEATING BUILDINGS AND OTHER PLACES WITHIN SAID CITY OR WITHIN ADJACENT TERRITORY, AND FOR ANY OTHER PURPOSE FOR WHICH SAID STEAM OR ELECTRICITY MAY PROVE TO BE ADAPTED.

Be it Ordained by the City Council of the City of Bloomington:

Section 1. That for and during the term of thirty years, beginning with the date of the acceptance of this ordinance, George S. Hanna, J. C. Cole and Wolf Griesheim, and their successors or assigns, be, and they are hereby authorized and permitted the right to manufacture, sell, distribute, deliver and dispose of steam and electricity for power within the City of Bloomington, for the purpose of heating buildings and other places, and for the purpose of supplying electric power within said city, or within adjacent territory, and for any other purpose for which said steam or electric power may prove to be adapted; and also the right to manufacture, sell, distribute, deliver and dispose of electricity for illuminating purposes within that portion of the City of Bloomington, Ill., bounded on the east by East street, on the south by Grove street, on the west by Madison street, and on the north by Market street, and including said streets named as boundary lines. And further, there is granted to said grantees above named, for that purpose, the right to use the streets, avenues, alleys and public grounds of the City of Bloomington (except the public parks), within said district, to construct under and upon the same such constructions, pipes, mains, wires, conduits, and apparatus as are suitable and adapted for such purposes, with full power and authority to maintain, repair, and re-locate the same from time to time, provided always that the powers herein granted are exercised in such manner as to do no permanent injury or damage to such streets, avenues, alleys and public grounds, and provided always that such powers are exercised subject to all restrictions in this Ordinance contained, and in accordance with the terms and conditions of all Ordinances of the City of Bloomington applicable thereto.

Section 2. That the permit and right granted in and by Section 1 of this Ordinance is granted upon the express condition that the said George S. Hanna, J. C. Cole and Wolf Griesheim, or their successors or assigns, shall protect the City of Bloomington from any and all damages, if any, which may be suffered by any person or persons, or which may be caused to the property or rights of any person or persons, if any, on account of such excavations, and the laying of such pipes, conduits, connections, wires, and apparatus in the streets, alleys, and public places of said City.

Said constructions, pipes, mains, wires, conduits, and apparatus, and all necessary appurtenances where practicable, shall be laid or constructed in the alleys; and if not practicable to lay or construct them in the alleys, they may be laid in the streets on lines first to be approved by the City Council of the City of Bloomington. When the parties to whom the foregoing rights are granted, or their successors or assigns, shall enter upon any street, alley, or public place, for the purpose of constructing or repairing any portion of their system, they shall prosecute the work with due diligence and close all trenches or holes as soon as possible as the work progresses, leaving the street, alley, avenue, or public place at the same grade and in the same condition as it was found by them at the time of entry, in accordance with the requirements of the Ordinances of said City applicable thereto and in accordance of the provisions of any contract or bond then in force between the said city and the contractor by whom the street was paved. And the said George S. Hanna, J. C. Cole and Wolf Griesheim, or their successors or assigns, shall make said necessary excavations and lay said pipes, conduits and wires without damage to such gas, water, sewer or other pipes as may be, at the time said excavations or constructions are made in the alleys, streets and public places of the City of Bloomington; and shall protect said City from any claim for damages that may arise therefrom.

And the said George S. Hanna, J. C. Cole and Wolf Griesheim, or their successors or assigns, by the acceptance of the provisions of this Ordinance, agree that during the time they or either of them shall maintain and operate such constructions, pipes, mains, wires, conduits and other apparatus suitable and adapted for such system, they will protect the City of Bloomington from all damages which may happen to persons or property on account of the maintenance of such pipes, mains, wires, conduits and apparatus, or any part thereof, or on account of the distribution of steam or electricity through such system.

The said George S. Hanna, J. C. Cole and Wolf Griesheim or their successors or assigns, shall so construct the system herein described so as not to interfere with any main or branch of the sewerage system of said City now or hereafter to be laid and subject to the right of said City to change the grade of the surface of said alleys, streets and public places, whenever the City Council of said City shall so ordain.

Section 3. Should it become necessary for the proper distribution of heat or electricity to excavate and lay pipes and boxing or other suitable apparatus in any of the streets or alleys or any other public place now covered with brick or other paving, the said George S. Hanna, J. C. Cole and Wolf Griesheim, or their successors or assigns, do hereby agree that all the provisions and conditions of the City of Bloomington applicable to such excavations shall first be complied with before such excavations are made; and that such excavations and the relaying of the pavement in the places where such excavations shall be made, shall be done in accordance with all the provisions of the ordinances of the City of Bloomington applicable thereto.

Section 4. The rights and privileges herein granted are subject, nevertheless, to this condition, that if said grantees, their successors or assigns, desire to avail themselves thereof, a written acceptance of all the terms of this Ordinance must be filed with the City Clerk within twenty days from the passage of this Ordinance, accepting all its terms, conditions and provisions; and the said acceptance shall be presented by the City Clerk to the City Council and made a part of the record of its proceedings.

The said grantees, or their successors or assigns, within one year from the date of the passage of this ordinance, shall have begun actual work of the construction of the heating and electric plant contemplated herein, and in default thereof all rights and powers granted hereby shall cease and be of no effect.

That said plant shall be in operation, ready to furnish heat and electricity, both for electric lighting and electric power, on or before March 1. 1902.

That George S. Hanna, J. C. Cole and Wolf Griesheim, or their successors or assigns, shall have a system of conduits in operation on or before November 1, 1901, in said district along Main street, from Grove to Monroe; at the intersection of Main and Monroe streets conduits shall be laid east to the alley between Main and East streets, thence north along this alley to Market street. There shall also be a conduit laid along Madison street from Grove to Monroe street; then turning east along Monroe street to the alley between Center and Main streets; thence north along this alley to Market street, together with such extra cross conduits as may be needed to supply electricity for light or power in the alleys connecting with said Main, Madison and Monroe streets. Such conduits shall be of sufficient capacity to receive all the electric wires in the streets and alleys above designated that are suspended above the same.

As fast as the said George S. Hanna, J. C. Cole and Wolf Griesheim, or their successors or assigns, may extend the conduit system in said district for their own use, they shall extend said conduit system at the same time of sufficient capacity to accommodate all wires used for electric purposes.

In consideration of the granting of the rights and privileges hereinbefore specified, the said George S. Hanna, J. C. Cole and Wolf Griesheim, or their successors or assigns, hereby agree to permit the City of Bloomington to use said conduits so constructed for its police, fire alarm and electric light wires free of charge and for wires for commercial lighting, the city shall pay the regular price for the use of such conduit system as is charged for the use of said conduits by other companies.

In further consideration of the privileges herein granted, the said George S. Hanna, J. C. Cole and Wolf Griesheim, their successors and assigns, agree to furnish sufficient steam heat to properly heat either the City Hall or that portion of the Withers Public Library used for library purposes, at all times when heat is required, from and after November 1, 1902, free of any charge or expense to the city.

In further consideration of the privileges herein granted, the said George S. Hanna, J. C. Cole and Wolf Griesheim, their successors or assigns,

agree to furnish light to any or all city buildings when requested after the installation of their light plant, to properly light such building or buildings at one-half the lowest rate that such light is furnished to any of their regular patrons.

And in further consideration of the privileges herein granted, the said George S. Hanna, J. C. Cole and Wolf Griesheim, their successors or assigns, agree to extend the conduit system herein provided so as to cover the streets and alleys mentioned in the report of the Committee on Light and published in the Council Proceedings of September 21, 1900, as soon as the necessary petition, signed by the owners of more than one-half of the frontage along said streets and alleys, is presented and the Council shall direct.

If the said George S. Hanna, J. C. Cole and Wolf Griesheim, their successors or assigns should fail to install the conduit or the lighting system or the steam heating system, then their obligation to furnish free conduits or free heat or light at half price shall respectively terminate.

It is hereby further agreed and made a condition of the granting of the rights herein contained, that the City of Bloomington shall have the first option until the first day after the second regular meeting night of the City Council of the City of Bloomington of the succeeding fiscal year of said city after said offer is made to purchase said conduit system complete at the same price as is offered for said system by any other bona fide purchaser.

Section 5. This ordinance shall be in full force from and after its passage and the acceptance of the terms and conditions thereof unconditionally by said George S. Hanna, J. C. Cole and Wolf Griesheim, as herein provided.

Passed this 12th day of October, 1900.

Approved this 15th day of October, 1900.

LEWIS B. THOMAS, *Mayor*.

Attest:

C. C. HASSLER, *City Clerk*.

ACCEPTANCE

To the Honorable, the Mayor and City Council of the City of Bloomington:

GENTLEMEN—The undersigned, George S. Hanna, J. C. Cole and Wolf Griesheim, do hereby accept the franchise granted them by Your Honorable Body at a meeting held the 12th day of October, 1900, subject to the conditions and stipulations herein contained.

GEO. S. HANNA,
J. C. COLE,
WOLF GRIESHEIM.

October 19, 1900.

ORDINANCE

AN ORDINANCE GRANTING TO GEORGE S. HANNA, J. C. COLE AND WOLF GRIESHEIM, AND TO THEIR SUCCESSORS OR ASSIGNS, THE RIGHT TO LAY A SYSTEM OF CONDUITS FOR THE CONVEYANCE OF ELECTRICITY FOR LIGHTING OR ANY OTHER PURPOSE FOR WHICH ELECTRICITY IS SUITABLE.

Be it Ordained by the City Council of the City of Bloomington:

Section 1. That for and during the period of thirty (30) years from the 19th day of October, 1900, George S. Hanna, J. C. Cole and Wolf Griesheim, and their successors and assigns, be and they are hereby authorized and permitted the right to manufacture, sell, distribute, deliver and dispose of electricity for illuminating purposes or any other purpose for which electricity may be used within that portion of the city described as follows, to-wit: On Madison street, between the line of the Big Four Railway Co., and Grove street and upon Main street between the south side of Grove street and the north side of Olive street.

And further there is granted to said grantees above named for that purpose, the right to use the said streets to construct upon said streets a system of conduits and apparatus such as are suitable and adapted for such purpose, with full power and authority to maintain, repair, and re-locate the same from time to time, provided always that the powers herein granted are exercised in such manner as to do no permanent injury or damage to such streets, and provided always that such powers are exercised subject to all restrictions in this ordinance contained and in accordance with the terms and conditions of all ordinances of the City of Bloomington applicable thereto.

Section 2. That the permit and right granted in and by Section 1 of this ordinance, is granted upon the express condition that the said George S. Hanna, J. C. Cole and Wolf Griesheim, or their successors or assigns, shall protect the City of Bloomington from any and all damage, if any, which may be suffered by any person or persons, or which may be caused to the property or rights of any person or persons, on account of any excavation that may be made in the construction of said conduit system in the streets above named. Said system of conduits and such apparatus, and all necessary appurtenances, after the work of construction shall have been commenced, shall be prosecuted with due diligence and all trenches and holes shall be closed as soon as possible as the work progresses, leaving said streets at the same grade and in the same condition as they were found by them at the time they were entered, and in accordance with the requirement of the ordinance of said city applicable thereto, and in accordance with the provisions of any contract or bond then in force between said city and the contractor by whom the streets were paved. And the said George S. Hanna, J. C. Cole and Wolf Griesheim, and their successors or assigns, shall make said necessary excavations and construct such system of conduits and apparatus without damage to such gas, water, sewer or other pipes, as

may be, at the time said excavations or constructions are made, in said streets, and shall protect said city from any claim for damages that may arise therefrom.

And the said George S. Hanna, J. C. Cole and Wolf Griesheim, and their successors or assigns, by the acceptance of the provisions of this ordinance, agree that they, or either of them, shall maintain and operate such conduit system, and necessary apparatus suitable and adapted for such system, they will protect the City of Bloomington from all damages which may happen to persons or property on account of the maintenance of such conduits and apparatus, or any part thereof, or on account of the distribution of electricity through such system. The said George S. Hanna, J. C. Cole and Wolf Griesheim, and their successors or assigns, shall so construct the system herein described so as not to interfere with any main or branch of the sewerage system of said city, now, or hereafter to be laid, and subject to the right of said city to change the grade of the surface of such streets whenever the City Council of such city shall so ordain.

Section 3. Should it become necessary for the proper construction of said conduit system and apparatus connected therewith, for the proper distribution of electricity, to excavate and lay pipes, boxing or other suitable apparatus in said streets, now covered with brick or other paving, the said George S. Hanna, J. C. Cole and Wolf Griesheim, or their successors or assigns, do hereby agree that all the provisions and conditions of the ordinance of the City of Bloomington applicable to such excavations shall first be complied with before such excavations are made; and that such excavations and the relaying of the pavement in the place where such excavations shall be made, shall be done in accordance with all provisions of the ordinance of the City of Bloomington applicable thereto.

Section 4. The rights and privileges herein granted, are subject, nevertheless, to this condition; that if said grantees, their successors or assigns, desire to avail themselves thereof, a written acceptance of all the terms of this ordinance must be filed with the City Clerk within twenty days from the passage of this ordinance, accepting all its terms, provisions and conditions, and the said acceptance shall be presented by the City Clerk to the City Council and made part of the record of such proceedings. Said grantees, or their successors or assigns, within one year from the date of the passage of this ordinance shall have begun the actual work of construction of said conduit system, and in default thereof, all rights and powers granted hereby, shall cease and be of no effect. In consideration of the granting of the rights and privileges hereinbefore specified, said George S. Hanna, J. C. Cole and Wolf Griesheim, or their successors or assigns, hereby agree to permit the City of Bloomington to use said conduit system so constructed for its police, fire alarm and electric light wires, free of charge, and for wires for commercial lighting, the city shall pay regular price for the use of said conduit system as is charged for the use of said conduits by other companies. It is hereby further agreed and made a condition of the grant-

ing of the rights herein contained, that the City of Bloomington shall have the first option until the first day after the second regular meeting night of the City Council of the City of Bloomington, of the succeeding fiscal year of said city after said offer is made, to purchase said conduit system complete, at the same price as is offered for said conduit system by any other *bona fide* purchaser.

Section 5. This ordinance shall be in full force and effect from and after its passage and the acceptance of the terms and conditions thereof unconditionally by said George S. Hanna, J. C. Cole and Wolf Griesheim, as herein provided.

Passed this 9th day of November, 1900.

Approved this 10th day of November, 1900.

LEWIS B. THOMAS, *Mayor*.

Attest:

C. C. HASSLER, *City Clerk*.

ACCEPTANCE

BLOOMINGTON, ILL., Nov. 19, 1900.

To the Honorable, the Mayor, and City Council of the City of Bloomington:

We, the undersigned, accept the ordinance granting us the right to lay system of conduits on Main and Madison streets, as specified in the ordinance passed by your Honorable Body at the meeting of November 9, 1900.

GEO. S. HANNA,
J. C. COLE,
WOLF GRIESHEIM.

ASSIGNMENT OF FRANCHISE.

For and in consideration of one dollar (\$1) to us paid and other good and valuable considerations, the receipt whereof is hereby acknowledged, we, the undersigned, George S. Hanna, J. C. Cole and Wolf Griesheim, do hereby sell, assign and convey to the Consumers Heat and Electric Co., of the City of Bloomington, Ill., all our rights, title and interest in the franchise conveyed to us by an ordinance of the said city of Bloomington, passed by the City Council of said city on the 12th day of October, 1900, and approved by Lewis B. Thomas, mayor of said city, the 15th day of October, 1900, which said ordinance was published in the proceedings of said City Council and is entered on the record of such proceedings, commencing on page 294, which said ordinance granted to us the right to sell, distribute, deliver and dispose of steam and electricity within the City of Bloomington, Ill., for the purpose of heating buildings and other places within said city, or within adjacent territory, and for any other purpose for which steam or electricity may prove to be adapted.

We also sell, assign, transfer and set over to the said Consumers Heat and Electric Co., all our rights, title and interest in and to the franchise granted to us by an ordinance passed by the City Council of the city of Bloomington, the 9th day of November, approved by Lewis B. Thomas, mayor, the 10th day of November, 1900, which ordinance was published in the proceedings of the City Council of said city of Bloomington and is entered on the records of said Council at page 332 and entitled an ordinance granting to us the right to lay a system of conduits for the conveyance of electricity for lighting or any other purpose for which electricity is suitable.

For and in consideration of the assignment of said ordinance, the said Consumers Heat and Electric Company agrees to carry out and obey all the provisions and requirements of said ordinances and to protect us from any liability which may arise under or by virtue of said ordinances to the city or any other person or persons.

In witness whereof we have hereunto set our hands and seals this 23d day of November, 1900.

GEORGE S. HANNA, (SEAL)

J. C. COLE, (SEAL)

WOLF GRIESHEIM, (SEAL)

The above assignment is hereby accepted by the said Consumers Heat and Electric Company, this 23d day of November, 1900.

CONSUMERS HEAT AND ELECTRIC COMPANY,

By WILLIS S. HARWOOD, *President*.

HENRY D. SPENCER, *Secretary*.

PEORIA, BLOOMINGTON AND CHAMPAIGN TRACTION COMPANY

ORDINANCE

AN ORDINANCE GRANTING TO THE PEORIA, BLOOMINGTON AND CHAMPAIGN TRACTION COMPANY, AN INTERURBAN RAILWAY COMPANY, AND ASSIGNS, THE RIGHT AND PERMISSION TO CONSTRUCT, MAINTAIN AND OPERATE A RAILWAY UPON AND ALONG SAID STREETS AND PUBLIC PLACES, IN THE CITY OF BLOOMINGTON, ILLINOIS.

Be it Ordained by the City Council of the City of Bloomington, Illinois:

WHEREAS, The Chicago, Bloomington and Decatur Railway, an interurban company, and the Peoria, Bloomington and Champaign Traction Company, and interurban railway company, incorporated under the laws of the State of Illinois, are preparing to at once build a direct line of interurban railway from the City of Decatur through the City of Bloomington to the City of Peoria, Illinois, and

WHEREAS, The Peoria, Bloomington and Champaign Traction Company desire to secure by ordinance of the City Council of the City of Bloom-

ington, Illinois, permission to operate and maintain its lines of interurban railway through the said municipality over, upon and across said streets in said municipality, And

WHEREAS, Certain petitions have been presented to the City Council of the City of Bloomington, Illinois, requesting said body to grant certain rights by ordinance to said interurban company, which said petitions are signed by the owners of a majority of the frontage, as required by law, on the proposed route for the operation and running of the cars of said interurban company, And

WHEREAS, Application for an ordinance for said purposes has been duly presented to said City Council, and

WHEREAS, Due notice of such application has been given as is required by law, now

THEREFORE, *Be it Ordained by the City Council of the City of Bloomington, Illinois:*

Section 1. That the right, power and authority is hereby given and granted to the Peoria, Bloomington and Champaign Traction Company, an interurban railway company, incorporated under the laws of the State of Illinois, its successors and assigns to construct, maintain, and operate a single track interurban railway, together with the necessary sidings and turn-outs within said municipality upon and over the following named streets, to-wit:

On Lincoln street from the west line of the right of way of the Peoria and Eastern Railway Company to the west line of the intersection of Madison and Lincoln streets, on Madison street from the south line of the intersection of Lincoln and Madison streets, to the north line of the intersection of Monroe and Madison streets, on Monroe street from the west line of the intersection of Madison and Monroe streets to the east line of the intersection of Center and Monroe streets; on Jefferson street from the west line of the intersection of Jefferson and Madison streets to the east line of the intersection of Center and Jefferson streets; on Center street from the south line of the intersection of Jefferson and Center streets to the north line of the intersection of Market and Center streets; on Market street from the east line of the intersection of Market and Center streets to the western limits of the City of Bloomington, with proper connecting curves, on all said intersections above mentioned, the center line of said tracks to be in the center of the said streets, all in the City of Bloomington, Illinois.

The said interurban company in the operation of its cars through said municipality is authorized to operate said railway by electricity or any other suitable motive power approved by the City Council, except steam.

Section 2. Any car operated by said interurban company, either of its own or for another company, shall be governed by all the restrictions of this ordinance.

Section 3. Said interurban company, its successors or assigns may erect and maintain suitable and necessary poles, which poles shall be iron

poles in the "business district" and on Market street to the Chicago & Alton railroad bridge, and erect and maintain thereupon span wires, trolleys, and other electric wires, necessary for the operation and furnishing of power, light and telephone service for said interurban company; the overhead wires of the said interurban company shall be suspended not less than eighteen feet above the rails of said railway and no other person or company shall thereafter place any wires below the wires of the said interurban company, in such a way as to obstruct practical operation of its road; the poles provided for shall be placed in straight continuous lines on each side of said street, not less than one hundred feet apart, except at the intersection of streets, avenues or alleys, where said distances would place the poles in the intersection of such streets, avenues or alleys; said straight continuous lines of poles shall be located at distances from the outside line of the street or alley to be then determined by the Council, acting through its street committee or through any proper authorized committee or agent. Said poles shall be neat and properly painted when placed in position.

Section 4. The gauge of the tracks of said interurban railway shall be four feet and eight and a half inches; said track shall be of first class tee rails, so laid that the tops of the rails thereof shall be level and at all times be kept level and in conformity with the established grade of the streets in said city and at all times be kept so ballasted with rock or other substantial matter or filled and leveled so as to make a good roadway, so as not to interfere or impede the free use of such parts or portions of said streets for the passage of wagons or other vehicles across or along said tracks; said tracks shall be laid on the grade now established and in case of change of grade by ordinance or authority, said interurban company shall upon due notice raise or lower said tracks to conform with such altered grade, without expense to the city. On all streets paved or to be paved the rails shall be seventy pound Shanghai rails.

Section 5. Said interurban company shall forever save and keep harmless the said municipality from any and all liability for and on account of any injuries or damages from any and all suits, decrees, costs and judgments, by reason of any rights hereafter and hereby granted or by reasons arising out of the laying, equipping, operating or maintaining of any or either of them, such line of interurban railway.

Section 6. Whenever any of such parts or portions of such streets, or any part thereof, shall be ordered to be paved by the municipality, as shall include any part thereof occupied by it, then said interurban company shall at the same time and in the same manner and in like material, as the rest of the city pavement, pave such parts of said street for the space of twelve inches outside of its rails and between its tracks; all pavement so ordered shall thereafter be kept in repair by said interurban company.

The cars of said interurban company shall at all times be entitled to the right of way of said tracks within the municipality and when any car

or cars are approaching any vehicles or foot passenger upon said track shall turn out so far as not to impede or interfere with the running speed of such car or cars. A schedule speed of 6 miles per hour shall be permitted in the business center of said municipality; 10 miles per hour in the portion immediately adjoining the business center, and 15 miles per hour in the outskirts.

Section 7. All the rights, privileges and authority herein granted shall be subject to the right of the municipality to control the improvement and repair of the streets herein mentioned and said interurban company shall further do and perform all acts required to be performed by it in connection with the repair of said streets, within a reasonable time, after written notice so to do shall have been served upon it by the municipality and in case of the failure and neglect so to do within a reasonable time, after being notified, the municipality shall have the right to do and perform any and all such acts in this ordinance required at the expense of said interurban company.

Section 8. No cars other than passenger cars or express cars resembling passenger cars, or cars carrying materials and supplies for said interurban company, shall pass over the tracks of said company within said municipality, and said cars carrying supplies and materials shall pass over the tracks at no time except between the hours of 10 p. m. and 5 a. m.

Section 9. Said interurban company shall at its own expense construct, maintain, and at all times keep in good condition and repair drains or culverts along the streets where its tracks are laid, or any of said streets or alleys and said drains or culverts shall be so constructed and maintained as to afford a ready means of carrying off the water from falling rains or melted snows, flowing down any such intersecting streets and alleys, and in such a manner as to afford a safe and convenient crossing for the public at such intersections over said tracks and all the space between the outside rails of said track shall be so graded and maintained as to render said tracks convenient for vehicles to cross at any place along any such streets where said tracks may be laid.

Section 10. Said interurban railroad shall upon the acceptance of this ordinance pay to the City Treasurer of the City of Bloomington for the use of the contiguous property owners on any of the aforementioned streets, or parts thereof, which have heretofore been paved in whole or in part, at the expense of the property owners abutting thereon, a ratable proportion of the cost of the pavement of such street, avenue or alley, so used by it, as the part used by it for such railway proportionately bears to the entire width of any such street, avenue or alley, paved and paid for as aforesaid.

Except as to Market street—and as to said street, the said interurban railway company shall pay to the Treasurer of the City of Bloomington, the cost of widening same, as shall be determined by the estimate of the City Engineer of the City of Bloomington for the cost of said work, so as

to give the same the same width that said Market street now is between Center and Main streets and in consideration of the payment of the widening of said pavement by said interurban railway company, all payment for the pavement used, as provided for by the ordinances of the City of Bloomington are hereby waived as to said Market street.

Section 11. Said interurban company shall sprinkle or pay for the cost of sprinkling the right of way used by them in and upon any said street, avenue or alley of the city, through or over which the same is built, and shall have the right and power to run an electric sprinkler over same.

Section 12. The Bloomington and Normal Railway, Electric and Heating Company shall have the right to use that portion of the railway tracks of said interurban company on Market street between the intersection of Howard street and the intersection of Hinshaw avenue with said Market street, for the purpose of running its cars, together with electric power, necessary to propel said cars; in the event that said Bloomington and Normal Railway, Heating and Electric Company is desirous of using said portion of said tracks of the said interurban company for the purpose of connecting to the parts of its present railway system, or such other additions thereto, as it may construct; conditioned, however, that the said Bloomington and Normal Railway, Electric and Heating Company shall pay to said interurban railway company or its successors a reasonable price for the use of said tracks and electric power and that in the event that said two parties cannot agree upon a reasonable price for the same, that then, and in that event, upon the petition of either party, the City Council of Bloomington shall determine the price to be paid for the use of said tracks and power, due notice of the filing of such petition, however, shall be given to the parties interested in the determination of the price of the same; provided further that said Bloomington and Normal Railway, Electric and Heating Company shall within three months from the date of the passage of this ordinance give due notice to said interurban company or its successors or assigns and also to the City Council of the City of Bloomington, of its intention to use said portion of said railroad tracks upon the conditions aforesaid, and in the event no such notice shall be given, within said time, that then the privilege hereby given for the use of said tracks shall have expired and of itself be then revoked, and on further condition that said Bloomington and Normal Railway Electric and Heating Company shall within said three months duly present to the City Council of the City of Bloomington, a petition of the owners of a majority of the frontage upon said portion of Market street, petitioning said City Council for an ordinance authorizing the said Bloomington and Normal Railway Electric and Heating Company to run its cars over said tracks and provided further that said Bloomington and Normal Railway Electric and Heating Company shall comply with all the laws relative to procuring a franchise ordinance for the aforesaid purpose.

Section 13. If the said Bloomington and Normal Railway Electric and Heating Company shall fail to exercise the privileges herein given to it,

to use the aforesaid portion of the tracks, on Market street, as aforesaid, within the time limited, as aforesaid, that then, the said Peoria, Bloomington and Champaign Traction Company, shall within six months after the completion of said railway system in the City of Bloomington, construct and operate a railway on either Hinshaw or Western avenues, north from Market street to at least Seminary avenue in that city, so as to furnish street car service to that portion of the City of Bloomington, lying north of Market street and west of the right of way of the Chicago & Alton Railroad Company; the said services to be given to said section of said City of Bloomington, to be not less than one car each half hour, from 6 o'clock a. m., to 11 o'clock p. m., through all lines in the city, conditioned, however, that the majority of the owners of property fronting on the aforesaid streets or either of them, shall within said time aforesaid, petition the City Council of the City of Bloomington to grant to said Peoria, Bloomington and Champaign Traction Company, a franchise ordinance for the construction of the interurban railway on said streets.

The said interurban railway company shall maintain a depot for the accommodation of all passengers of its railway, located in the business portions of the City of Bloomington, which shall be suitable to accommodate traveling public and which depot may be used by all interurban railways entering into the City of Bloomington, by paying to said Peoria, Bloomington and Champaign Traction Company a reasonable rental therefor, and in the event that the parties desiring to use such depot cannot agree upon a reasonable rental value of the same, that then, upon petition of either party interested therein, the City Council of the City of Bloomington, shall determine the rental value of the same, which shall be binding upon all parties interested therein.

Section 14. The said interurban company, its successors or assigns, shall carry passengers from any point on said above described route within the corporate limits of said city to any other point upon said route, within said city, charging for the one continuous passage, one way for each passenger, the sum of five cents and which fare shall entitle the passenger to a transfer on any other line operated or to be operated by said company for continuous passage without additional charges.

Section 15. This ordinance is granted upon the express condition that said interurban shall begin actual work of construction of its tracks and appliances connected therewith, within one year from the passage of this ordinance and shall have same ready for complete operation within two years after the passage of this ordinance, and having failed so to do, the municipality may consider the franchise, forfeited, upon all portions of the streets where said tracks are not then in condition for complete operation.

Section 16. The franchise hereby granted, with the power, privilege, and right conferred and the obligations herein and hereby imposed, shall when accepted by said interurban railway company, be determined and treated as a contract between said City of Bloomington and said interurban

railway company, its successors and assigns, and shall continue and be in force to said interurban company, its successors and assigns, for and during the period of 50 years from the passage of this ordinance, subject to the renewal and extension in the manner provided by law on application and request of said interurban railway company, its successors or assigns.

Section 17. This grant shall be in full force and all rights hereunder shall accrue to said Interurban company, as soon as it shall file with the Clerk of the said City of Bloomington, its written acceptance and shall file said acceptance within thirty days after the passage hereof.

Section 18. Whenever the words or designation of "Interurban Company" shall be used or "Interurban Railway Company," it shall be taken and construed to mean and designate the Peoria, Bloomington and Champaign Traction Company, its successors, and assigns and all persons, corporations, receivers, and companies claiming under or through them.

Section 19. This ordinance shall take effect and be in force from and after its passage.

This ordinance passed by the City Council of the City of Bloomington, Illinois, May 26, 1905, and approved by the Mayor of said City, this 27th day of May, A. D. 1905.

JAMES S. NEVILLE, *Mayor*.

Attest:

HERBERT L. DENISON, *City Clerk*.

ACCEPTANCE

To the Honorable, the Mayor, and the City Council of the City of Bloomington:

Gentlemen: Peoria, Bloomington and Champaign Traction Company hereby accepts the franchise ordinance passed by your Honorable Body, at your regular meeting on May 26, 1905, and its amendments passed at your regular meeting June 9, 1905, being an ordinance granting the right and privilege to construct, maintain and operate, for the period of fifty (50) years, an interurban railway upon the following streets and public places in the City of Bloomington, Illinois, to-wit:

Commencing on the west line of the right of way of the Peoria & Eastern Railway Company on Lincoln street, thence west on Lincoln street to the west line of the intersection of Lincoln and Madison streets, on Madison street from the south line of the intersection of Madison and Lincoln streets to the north line of the intersection of Madison and Monroe streets; on Monroe street from the west line of the intersection of Monroe and Madison streets to the east line of the intersection of Monroe and Center streets; on Center street from the south line of the intersection of Center and Jefferson streets, to the north line of the intersection of Center and Market streets; on Jefferson street from the west line of the intersection of Jefferson and Madison streets, to the east line of the intersection of Jefferson

and Center streets; on Market street from the east line of the intersection of Center and Market streets to the western city limits, with proper connecting curves on said intersections; the franchise granted by said ordinance, with the power, privilege and right conferred and the obligations therein and thereby imposed, when accepted by said interurban railway company to be and continue in force to said interurban railway company, its successors and assigns, for and during the period of fifty years from passage of said ordinance.

The said Peoria, Bloomington & Champaign Traction Company hereby accepts the aforesaid franchise ordinance, and agrees to all of its obligations.

Dated this 31st day of May, A. D. 1905.

PEORIA, BLOOMINGTON & CHAMPAIGN TRACTION CO.,

By WM. B. MCKINLEY, *President*.

Attest:

GEO. M. MATTES, *Asst. Sec'y*.

NOTE—The amendment of June 9, 1905, mentioned in the above acceptance, consisted wholly of a correction of clerical errors in the original ordinance. These errors have been corrected in the ordinance as it appears here.

ORDINANCE

AN ORDINANCE GRANTING TO THE PEORIA, BLOOMINGTON & CHAMPAIGN TRACTION COMPANY, A RAILWAY COMPANY, ITS SUCCESSORS AND ASSIGNS, THE RIGHT AND PERMISSION TO CONSTRUCT, MAINTAIN AND OPERATE A RAILWAY UPON, ALONG AND ACROSS CERTAIN STREETS, ALLEYS AND PUBLIC PLACES IN THE CITY OF BLOOMINGTON, ILLINOIS.

WHEREAS, The Peoria, Bloomington and Champaign Traction Company, a railway company incorporated under the laws of the State of Illinois, is constructing a certain line of railway from the City of Peoria, Illinois, to the City of Bloomington, Illinois; and

WHEREAS, The said Peoria, Bloomington & Champaign Traction Company desires to secure, by ordinance, of the City Council of the City of Bloomington, Illinois, the right and permission to operate and maintain its railway across, over and upon certain streets, alleys and public places in said municipality; and

WHEREAS, Application for an ordinance for said purpose has been duly presented to said City Council, and due notice of said application has been given as is required by law; now, therefore,

Be it Ordained by the City Council of the City of Bloomington, Illinois:

Section 1. That the right, power and authority is hereby given and granted to the Peoria, Bloomington & Champaign Traction Company, a railway company incorporated under the laws of the State of Illinois, its successors and assigns, to construct, maintain and operate a single or double track railway, together with the necessary sidings and turn-outs,

all turn-outs for double tracks to be placed on the company's right of way, within said municipality, upon, over and across the following named streets, alleys and public places, to-wit:

Across Circle avenue from the westerly limits of the City of Bloomington, at a point where Blade street would intersect said Circle avenue if extended, and at a place where lot thirteen (13) in block ten (10) of Fairground subdivision of the City of Bloomington abuts Circle avenue; also on Blade street from Circle avenue to Stillwell street; across Stillwell street at the place where lot nine (9) in block nine (9) of Fairground sub-division of the City of Bloomington, and also lot nine (9) in Block five (5) in Cramer's addition to the City of Bloomington abuts said Stillwell street; also across Sheridan street between a point on lot two (2) in block five (5) in Cramer's addition to the City of Bloomington, and the west line of Hinshaw avenue; also across a certain street not yet named intersecting Monroe street and Sheridan street, and which tract of land now included in said street was formerly known as lot five (5) in block six (6) in Cramer's addition to the City of Bloomington, at a point between lot six (6) and lot four (4) in block six (6) of Cramer's addition to the City of Bloomington; also across Monroe street at a certain point of lots three (3) and four (4) in block six (6) of Cramer's addition to the City of Bloomington, to lot ten (10) in block two (2) in Cramer's addition to the City of Bloomington; also across a portion of Livingston street where lot ten (10) of block two (2) in Cramer's addition to the City of Bloomington abuts said Livingston street near the place where said Livingston street if extended would intersect said Monroe street; also across a certain alley located between Market street and Monroe street at a point where lots seven (7) and twelve (12) in block (2) of Cramer's addition to the City of Bloomington abut said alley; the exact location of which railway tracks are more specifically shown by two (2) certain plats attached hereto and made a part hereof for greater certainty, and marked "Exhibit A."

Section 2. The said railway company, in the operation of its cars, is authorized to operate the same by electricity or any other suitable motive power approved by the City Council, except steam.

Section 3. Said railway company, its successors or assigns, may erect and maintain in said streets, alleys and public highways, suitable and necessary poles, and erect and maintain thereon span wires, trolley wires, and other electric wires necessary for the operation and furnishing of power, light, heat and telephone services for said railway. The overhead wires of said railway shall be suspended not less than eighteen (18) feet above the rails, and no other person or company shall thereafter place any wires below the wires of said railway in such a way as to obstruct the practical operation of said railway; the poles provided for shall be placed on each side of the said streets, alleys and public places at a distance from the outside line of the street, alley, or public places to be then determined by the City Council, acting through its street committee or through any proper authorized

committee or agent; said poles shall be neat and properly painted when placed in position. The city shall have the right at all times to place its wires on the poles of the said Company, so long as it does not interfere with the practical operation of said Company's road.

Section 4. The gauge of said tracks of said railway shall be four (4) feet eight and one-half ($8\frac{1}{2}$) inches; said tracks shall be of first-class "T" rails, so laid that the tops of the rail thereof shall be level, and at all times be kept level and in conformity, with the established grade of the streets in said city, and at all times be kept so ballasted with rock or other substantial material, or filled and levelled, or planked as shall be decided by the City Council, or its authorized agents or agent, so as to make a good roadway, and so as not to interfere with or impede the free use of such parts or portions of said streets for the passage of wagons or other vehicles across or along said tracks; said tracks shall be laid on the grade now established and in case of change of grade by ordinance or authority, said railway shall, upon due notice, raise or lower said tracks to conform with such altered grade, without expense to the City.

Section 5. Said railway company shall forever save and keep harmless the said municipality from any and all liability for and on account of any injury or damages and from any and all suits, decrees, costs and judgments by reason of any rights hereafter and hereby granted, or by reasons arising out of the laying and equipping of such line of railway.

Section 6. Whenever any such parts or portions of streets or any part thereof, shall be ordered to be paved by the municipality, as shall include any part hereof occupied by said railway company, it shall at the same time and in the same manner, and with like material as the rest of the street pavement, pave such parts of said street for a space of twelve (12) inches outside of its rails, and between its tracks; all pavement so ordered shall thereafter be kept in repair by said railway company. And when the street is paved, if double tracks are laid by said Company on any of said streets, then the Company shall pave between its tracks, as well as twelve (12) inches outside of the outside rail, and between the rails.

Section 7. The cars of said railway company shall at all times be entitled to the right-of-way of said tracks within the municipality, and when any car or cars are approaching, any vehicle or pedestrian upon said track shall turn out so as not to impede or interfere with the running speed of such car or cars. A schedule speed of fifteen (15) miles per hour shall be permitted.

Section 8. All right, privileges and authority hereby granted shall be subject to the rights of the municipality to control the improvements and repairs of the streets herein mentioned, and the said railway company shall do and perform all acts required to be performed by it, in connection with the repairs of the said streets, within a reasonable time after a written notice so to do shall have been served upon it by the municipality, and in case

of failure and neglect so to do within a reasonable time after being notified, the municipality shall have the right to do and perform any and all such acts in this ordinance required, at the expense of said railway company.

Section 9. Said railway company shall, at its own expense, construct, maintain and at all times keep in good condition and repairs, drains or culverts along the streets where its tracks are laid, which shall be so constructed and maintained as to afford ready means of carrying off water from falling rains or melted snow, flowing down any such intersecting streets or alleys, and in such a manner as to afford a safe and convenient crossing for the public at such intersections of said tracks, and all the space between the outside rails of said tracks shall be so graded and maintained as to render said tracks convenient for vehicles to cross at any place along any such streets where said tracks may be laid. Said railway company shall furnish and maintain at the Market street subway, five (5) sixteen (16) candle power incandescent lights, which shall be kept burning every night the entire night, and which shall be so distributed on each side of said subway, and in said subway, as to best furnish light.

Section 10. The franchise hereby granted, with the power, privilege and rights conferred, and the obligations herein and hereby imposed, shall, when accepted by said railway company, be determined and treated as a contract between the said City of Bloomington and said railway company, its successors and assigns.

Section 11. This grant shall be in full force, and all rights hereunder shall accrue to said railway company for fifty (50) years, as soon as it shall file with the Clerk of the City of Bloomington its written acceptance.

Section 12. Whenever the words or designation "railway company" is used herein, it shall be taken and considered to mean and designate the Peoria, Bloomington & Champaign Traction Company, its successors and assigns, and all persons, corporations, receivers and companies claiming under or through it.

Section 13. This ordinance shall take effect and be in force from and after its passage.

Passed this 30th day of November, A. D. 1906.

Approved this 1st day of December, A. D. 1906.

A. G. ERICKSON, *Mayor*.

Attest:

HERB'T L. DENISON, *City Clerk*.

ACCEPTANCE

CHAMPAIGN, ILL., Dec. 22, 1906.

The Peoria, Bloomington & Champaign Traction Company, its successors and assigns, hereby accepts a certain ordinance entitled: "An ordinance granting to the Peoria, Bloomington & Champaign Traction Company, a railway company, its successors and assigns, the right and permission to con-

struct, maintain and operate a railway upon, along and across certain streets, alleys and public places in the City of Bloomington, Illinois," passed by the City Council of the City of Bloomington November 30th, 1906, and all rights and privileges in and by said ordinance to it granted, according to the terms and provisions of said ordinance.

THE PEORIA, BLOOMINGTON & CHAMPAIGN TRACTION CO.,

By W. B. MCKINLEY, *President.*

Attested:

GEO. M. MATTES, *Assistant Secretary.*

ORDINANCE

AN ORDINANCE AUTHORIZING THE RELOCATION BY THE PEORIA, BLOOMINGTON & CHAMPAIGN TRACTION COMPANY OF ITS LINE OF RAILWAY AT OR NEAR THE INTERSECTION OF MADISON AND LINCOLN STREETS IN THE CITY OF BLOOMINGTON, ILLINOIS.

WHEREAS, the Peoria, Bloomington & Champaign Traction Company heretofore constructed a line of railway in the city of Bloomington, Illinois; and

WHEREAS, at or near the intersection of Madison and Lincoln streets in said city, said company has acquired certain property over which it desires to relocate its line in order to reduce the curvature now existing at the intersection of Madison and Lincoln streets; and

WHEREAS, it is considered to be the best interests of the city and public of Bloomington, as well as to the patrons of said company that its right of way be improved by the reduction of said curvature; and

WHEREAS, said company in all respects has duly complied with the requirements of the laws and statutes of the State of Illinois with reference to the rights herein and hereby granted; therefore,

Be it Ordained by the City Council of the City of Bloomington, Illinois:

Section 1. That the right, power and authority be and hereby are granted said Peoria, Bloomington & Champaign Traction Company to reconstruct its line of railway, tracks and overhead electric system at or near the intersection of Madison and Lincoln streets in the city of Bloomington, Illinois, so that the same shall be constructed upon and across lots eleven (11) and fourteen (14) in block two (2) in Richard Snell's Second Addition to the City of Bloomington, Illinois, extending from the present track of said company in Madison street at a point approximately 160 feet north of the north line of Lincoln street, thence southeasterly upon, over and across said Madison street and the sidewalk on the east side thereof to, upon and across the aforesaid lots to said Lincoln street and to, upon and across said Lincoln street, including sidewalk upon the north side thereof in a generally southeasterly direction to a point connecting with the present track of said company now in said Lincoln street approximately 160 feet east of the east line of said Madison street.

Section 2. Upon the reconstruction of the line of railway and overhead electric system of said company as in this ordinance authorized said company shall and hereby is empowered to remove the present curvature in its track at said intersection of Madison and Lincoln streets and such part of the track adjacent thereto as no longer shall be required in the operation of said railway.

Section 3. Nothing in this ordinance contained shall be construed in anywise to diminish, restrict or abridge any of the rights and privileges heretofore granted said company, its successors and assigns, by an ordinance entitled "An Ordinance granting to the Peoria, Bloomington and Champaign Traction Company, an interurban railway company, and assigns, the right and permission to construct, maintain and operate a railway upon and along said streets and public places in the City of Bloomington, Illinois," passed May 26, 1905, and approved May 27, 1905.

And except to the extent in this ordinance provided nothing in this ordinance contained shall be construed as modifying said ordinance, passed May 26, 1905, or any ordinance amendatory thereof or supplementary thereto, but the same shall continue in full force and effect.

Section 4. This ordinance shall be in full force and effect from and after its final passage, approval and acceptance in writing by said company and shall inure to the benefit of and be obligatory upon said company, its successors and assigns.

Passed by the City Council of the City of Bloomington, Illinois, the 5th day of July, 1912.

Approved the 6th day of July, 1912.

A. L. MOORE, *Mayor*.

Attest:

HARRY E. RHODES, *City Clerk*.

ACCEPTANCE

CHAMPAIGN, ILL., July, 1912.

The Peoria, Bloomington and Champaign Traction Company, a corporation, for itself, its successors and assigns, hereby accepts a certain ordinance passed by the City Council of the City of Bloomington, Illinois, the 5th day of July, A. D. 1912, and approved by the Mayor of said City the 6th day of July, A. D. 1912, designated Ordinance No. . . . , and entitled: "An Ordinance authorizing the re-location by the Peoria, Bloomington and Champaign Traction Company of its line of railway at or near the intersection of Madison and Lincoln Streets in the City of Bloomington, Illinois."

And all the rights, authority and privileges in and by said Ordinance granted, all according to the terms and provisions thereof.

PEORIA, BLOOMINGTON AND CHAMPAIGN TRACTION CO.,

By W. B. MCKINLEY, *President*.

Attest:

GEO. M. MATTES, *Assistant Secretary*.

UNION GAS AND ELECTRIC COMPANY

The Union Gas & Electric Company has no license under any ordinance passed by the City Council of the City of Bloomington to use or occupy the streets in said city for laying and maintaining gas mains and pipes, or for the purpose of erecting and maintaining poles and wires for the conveyance of electricity. The right of the said company to occupy the streets for either of these purposes depends upon an estoppel, but in the management and conduct of its business the company is subject to the constitution and laws of the State of Illinois and the control of the City Council acting thereunder (254 Illinois 395,418).

The question of the company's right to use the streets was litigated in a suit which was twice appealed to the Supreme Court of Illinois, three opinions being handed down, and the decisions of that court constitute the only license of the company to occupy the streets. These opinions are reported as follows:

—The People vs. The Union Gas & Electric Co., 254 Ill. 395.

—The People vs. The Union Gas & Electric Co., 258 Ill. 193.

—The People vs. The Union Gas & Electric Co., 260 Ill. 392.

REGULATING TELEPHONE, TELEGRAPH AND ELECTRIC LIGHT COMPANIES

ORDINANCE

AN ORDINANCE FOR THE REGULATION AND CONTROL OF
TELEPHONE, TELEGRAPH, AND ELECTRIC LIGHT COMPANIES.

Be it Ordained by the City Council of the City of Bloomington:

Section 1. That no telephone, telegraph, electric light, or other poles shall be erected in the streets of said city, except under the direction and supervision of the committee on streets and alleys; and no poles shall be erected within a radius of one mile of the court house in said city, save such poles as are of sufficient size and strength to support all wires that it may be found necessary to be placed upon them, with safety to the public. Said poles shall be kept painted, stepped and provided with rings for hitching horses, and whenever, in the judgment of the city council, the removal or change of location of such pole or poles and wires or other apparatus, or the raising or lowering of the height of such wires at any point or along any street, is necessary by reason of any proposed local improvement at such point, or upon such street, or for the convenience of the general public, or otherwise, then such pole, poles, wires, or other apparatus shall be so removed within thirty days after notice of such desired change: *Provided*, the owner of such pole, poles, wire or other apparatus, shall have at least fifteen days' notice of such change or removal, with an opportunity to be heard thereon; and in case of danger to life or property from fire, whenever, in the judgment of the chief of the fire department, the mayor or the chairman of the committee on fire department, any of such poles or wires

thereon interfere with the operating of the fire department, such poles may be cut down and removed, and shall be replaced by the telephone or other company to whom they belong, under the direction of the committee on streets and alleys, without expense to the city, and the city shall not be liable to said telephone or other companies for any damage which may result from the cutting and removal of such poles and wires.

Section 2. The city shall at all times have the right to string its fire and police alarm and electric light wires on such poles under the supervision of such telephone or other company, free of rental: *Provided* such wires are so strung as not to interfere with the proper workings of the telephone or other wires thereon. And for a reasonable consideration all telephone, telegraph or electric light companies, doing business within the limits of said city under this ordinance, shall grant to other companies or corporations hereafter receiving permission to erect poles, wires and other telephone, telegraph or electric light or other electrical apparatus upon the streets and alleys of said city, a pole license or permit for reasonable compensation to run their wires upon said poles, as far as the same is practicable, so as to avoid, as far as possible, the unnecessary erection of poles, wires, and other apparatus upon such streets and alleys.

Section 3. No such poles or other apparatus shall be erected so as to interfere with any sewer, gutter, or other local improvement; and in case of the improvement in any way of any street or alley upon which poles or other apparatus are located, then the owner of such poles or other apparatus, shall make, at its own expense, all changes necessary to conform to such improvement, and whenever a system of underground conduits for the operation of telephone or telegraph, or electric light wires shall become practicable for cities of this size, then upon six months' notice to any person, persons, company or corporation, owning any of such poles, wires, or other apparatus upon said streets and alleys, the said poles shall be removed from the street and the wires placed underground. All rights and privileges under this ordinance shall terminate in not to exceed twenty years from the date of its approval.

Section 4. That any telephone company doing business within the limits of said city under the provisions of this ordinance, shall furnish the city seven telephones free of charge, to be located within said limits where the council may direct; and whenever, in the judgment of the council, the business of the city requires an additional telephone or telephones, such telephone or telephones shall be furnished to the city at a reduction of twenty-five per cent from the regular exchange rate for business offices; and for each telephone so furnished said city a regular exchange contract shall be signed with rebate for rental endorsed thereon as herein provided.

Section 5. This ordinance shall not be in force as to any telephone, telegraph, or electric light company, unless such company shall file with the city clerk an acceptance of its provisions, with a stipulation that it desires to do business in said city thereunder, and until the city council, in pursuance

of such stipulation, shall have granted to such person, company or corporation its permit to do such business.

Section 6. Permission is hereby granted to the Central Union Telephone Company, and to the Fort Wayne "Jenney" Electric Light Company to erect poles and to do business under this ordinance: *Provided* they shall first file the stipulation herein provided for.

Section 7. Whoever shall wilfully, maliciously, or negligently cut down, break, injure, or destroy any telegraph, telephone, electric light, fire or police alarm wire, or shall deface, injure or destroy any box or other apparatus connected therewith within said city, or shall paint, post, place, print, or nail any handbill, sign, poster, advertisement or notice of any kind on any telephone, telegraph, electric light, or police or fire alarm pole within said city, shall, upon conviction, be fined not less than five dollars, nor more than one hundred dollars for each offense.

Section 8. That article II, chapter 30, entitled "Provisions relating to electric light," and article I, chapter 31, entitled "Telegraphs and telephones," be and the same are hereby repealed.

Approved this 4th day of May, 1889.

J. R. MASON, *Mayor*.

Attest:

R. N. EVANS, *City Clerk*.

ORDINANCE

AN ORDINANCE REGULATING TELEPHONE AND ELECTRIC LIGHT, ELECTRIC POWER AND OTHER ELECTRIC COMPANIES, AND GRANTING FRANCHISE TO CENTRAL UNION TELEPHONE COMPANY.

Be it Ordained by the City Council of the City of Bloomington:

Section 1. That no telephone, telegraph, electric light, electric motor, street car poles or other poles, shall be erected in the streets and alleys of the city of Bloomington, except under the direction and supervision of the committee on streets and alleys; and no poles shall be erected within a radius of one mile of the court house of said city save such poles as are of sufficient size and strength to support all wires that may be found necessary and practicable to place upon them, as hereafter provided with safety to the public.

The poles on Main street from Grove street to Mulberry street shall be not less than fifty feet in height with tops not less than eight inches in diameter and shall as far as practicable be placed eighty feet apart.

The poles on Main street from the C. C. C. & St. Louis railroad to Grove street, and from Mulberry to Chestnut streets, shall not be less than forty-five feet in height and seven inches in diameter and shall as far as practicable be placed eighty feet apart.

The poles on Chestnut street from Main street to C. & A. railroad shall be not less than thirty-five feet in height with tops not less than six inches in diameter and shall as far as practicable, be placed eighty feet apart.

The poles on Center street from North street to Olive street, on Jefferson street from Madison street to Main street, and on Front street from Madison street to Prairie street shall be not less than forty-five feet in height with tops not less than seven inches in diameter and the poles on Front street from Main street to Prairie street shall be placed as far as practicable eighty feet apart.

The poles on Washington street from Madison street to East street shall be not less than fifty feet in height and with tops not less than eight inches in diameter and shall as far as practicable be placed eighty feet apart.

Said poles shall be kept painted, stepped, and provided with rings for hitching horses, and whenever in the judgment of the city council the removal or change of location of such poles and wires or other apparatus, to another and practical point for such use, or the raising or lowering of the heights of such wires at any point or along any street is necessary by reason of any proposed local improvement at such point or upon such street, or for the convenience or safety of the general public, then such pole, poles, wire or other apparatus shall be so removed within thirty days after there shall have been given to the owner or owners of the same notice thereof, and an opportunity to be heard in regard to such a change.

Section 2. No such poles or other apparatus shall be erected so as to interfere with any sewer, gutter or other local improvement; and in case of the improvement in any way of any street or alley upon which the poles or other apparatus are located, then the owner of such poles or other apparatus shall make, at its own expense, all changes necessary to conform to such improvement.

Section 3. In case of danger to life or property from fire, whenever in the judgment of the chief of the fire department, the mayor or the chairman of the committees of fire department, any such poles or wires thereon interfere with the operations of the fire department, such poles may be cut down and removed and shall be replaced by the telephone or other company to whom they may belong, under the direction of the committee on streets and alleys, without expense to the city, and the city shall not be liable to said telephone or other companies for any damages which may result from the cutting and removal of such poles and wires.

Section 4. For the purpose of reducing the number of poles and other electrical apparatus upon the streets and alleys of the city, it shall be the duty:

First—Of all telegraph, telephone, fire alarm and all other companies whose systems of electrical apparatus are not dangerous to the telegraph and telephone and fire alarm systems, to use as far as possible, one and the same set of poles in the business portion of the city, and so far as practicable one and the same set of poles in all other parts of the city.

Second—Of all electric light and power companies to use as far as possible one and the same set of poles in the business portion of the city, and so far as practicable one and the same set of poles in all other parts of the city.

Third—Of the Bloomington and Normal Railway Company and the Bloomington City Railway Company, so far as possible in the business portion of the city and in all other parts of the city where practicable, to use on one side of the street for their suspension wires, the same set of poles used by the telephone, telegraph and fire alarm companies, and on the other side of the street for the other end of their suspension wires and also for their feed wires the same poles used by the electric light companies.

Section 5. The poles used by the telephone, telegraph, fire alarm and other companies mentioned in number one of section four above, shall be set with the exception hereafter named in section ten of this ordinance on the west side of Main street, from the C. C. C. & St. Louis railroad to Chestnut street, on the south side of Chestnut street from Main street to the Chicago and Alton railroad, and with the exception hereafter named in section ten, of this ordinance, on the east side of Center street from North street to Olive street, and with the exception hereafter named in section ten, of this ordinance, on the south side of Jefferson street from Madison street to Main street, and on the south side of Front street from Madison street to Prairie street, and on the south side of Washington street from Madison street to East street, and the poles used by the electric light and electric power companies, shall be set upon the opposite side of the said streets with the exception hereinafter named in section ten of this ordinance. In all other parts of the city the poles used by the telegraph, telephone, fire alarm and other companies mentioned in number one of section four above shall be set upon one side of the street and so far as practicable the poles used by the electric light and electric power companies shall be set on the other side of the said streets.

Section 6. All wires crossing the police and fire alarm wires shall be placed at least three feet above or below the said police and fire alarm wires.

Section 7. It shall be the duties of the said companies at all times to keep their plants in good repair, and to use all reasonable precautions and devices to protect each other and the public from danger to life or property. All poles not in use shall be removed from the streets and alleys.

Section 8. In case a disagreement should arise between any of the said companies as to whose poles should be used as leaders or principal poles, or as to a reasonable pole license, or as to which side of the street shall be occupied by the respective companies, or as to the safety devices, guard wires, etc., to protect each other and the public, or as to any other matter pertaining to the joint use of the poles hereinbefore prescribed, the same shall be submitted to the committees on police and light, and streets and alleys, of the city council, in connection with the mayor of the city of

Bloomington, and the decision of the said committees and mayor shall be binding and conclusive.

Section 9. The city shall at all times have the right to string its fire and police alarm wires upon the poles used by the said telegraph and telephone companies, and under the supervision of the said companies free of rental: *Provided* such wires are so strung and maintained as not to interfere with the proper workings of said telegraph, telephone or other wires thereon.

Section 10. No poles shall be set on the west side of Main, the north side of Washington, the east side of Center, and the south side of Jefferson streets, adjacent to the court house square: *Provided*, that this section shall in no wise effect the rights that the Bloomington and Normal Railway Company and the Bloomington City Railway Company, have to erect and maintain necessary poles upon the said portions of Main and Washington streets for the operation of their cars by electric motor powers.

Section 11. The city shall at all times, have the right to string its electric light wires upon the poles used by the electric light and electric power companies, free of rental: *Provided*, such wires are so strung as not to interfere with the proper workings of the said electric light or other wires thereon.

Section 12. Whenever a system of underground conduits for the operation of telephones, telegraph or electric light or electric power wires shall become practicable for cities of this size, then, upon six months' notice to any person, persons, company or corporation, owning any such poles, wires, or other apparatus upon said streets and alleys, the said poles shall be removed from the streets and the wires placed underground. All rights and privileges under this ordinance shall terminate in not to exceed twenty years from the date of its approval.

Section 13. The rights hereby granted shall not be exclusive, but the council reserves the right to grant to any other person or company like rights and privileges: *Provided*, that the same shall not be destructive or interfere with a reasonable use of the privileges hereby given.

Section 14. Said poles, lines and fixtures shall be placed and maintained so as not to interfere with ordinary travel on said highways, and said companies shall hold said city harmless from any damages arising by reason of such occupancy.

Section 15. The rights granted in this ordinance shall be taken and used subject to all such regulations and ordinances of a police nature as said city council may at any time see fit and be authorized to adopt.

Section 16. In consideration whereof, the Central Union Telephone Company, agrees so long as an exchange is maintained hereunto, to furnish to city, without charge and with exchange service, one telephone at the mayor's office, residence or place of business, as the mayor may desire; one at the water-works; one at the residence of the superintendent of the water-works; one at the police headquarters; one at the city clerk's office; one at

the residence of the chief of the fire department, one at each fire engine or power house which the city maintains or may maintain, and one at Miller's Park; also such other telephones for city use, with exchange service and within the corporate limits, as said city council may by resolution at any time require, at twenty-five per cent discount from the regular rates from time to time charged for business purposes: *Provided*, that for each of said telephones furnished, separate contracts, containing the customary provision, shall be previously signed, having endorsed thereon the terms of payment herein provided for.

Section 17. This ordinance shall not be in force as to any telephone, telegraph, electric light, electric power, or other company, unless such company shall file with the city clerk an acceptance of its provisions with a stipulation that it desires to do business in said city thereunder, and until the city council, in pursuance of such stipulation, shall have granted to such person, company or corporation its permit to do such business; *Provided, further*, that said ordinance shall not be in force as to the Central Union Telephone Company, until it shall have also receipted to the city in full for all past or present charges or claims, if any, for unpaid bills for telephone service which said company may claim against said city.

Section 18. The rights and franchises of all companies under this ordinance, who shall fail in a reasonable and substantial compliance with the terms of said ordinance, shall, at the option of the city of Bloomington, be revoked and terminated.

Section 19. Whoever shall wilfully, maliciously or negligently cut down, break, injure or destroy any telegraph, telephone, electric light pole, telephone, telegraph, electric light, fire, police, alarm, or other electrical wire, or shall deface, injure or destroy any box or other apparatus connected therein with said city, or shall paint, post, print or nail any hand-bill, sign, poster, advertisement or notice of any kind on any telephone, telegraph, electric light, or police or fire alarm, or other electric pole within said city, shall, upon conviction, be fined not less than five dollars nor more than one hundred dollars for each offense.

Section 20. That an ordinance "For the regulation and control of telephone, telegraph and electric light companies," approved May 4, 1889, be and the same is hereby repealed.

Approved this 15th day of November, A. D. 1890.

C.F.KOCH, *Mayor*.

Attest:

R. N. EVANS, *City Clerk*.

ORDINANCE

AN ORDINANCE FOR THE AMENDMENT OF THE FOREGOING ORDINANCE ENTITLED "FOR THE REGULATION AND CONTROL OF TELEPHONE, TELEGRAPH, ELECTRIC LIGHT, ELECTRIC POWER AND OTHER ELECTRIC COMPANIES."

Be it Ordained by the City Council of the City of Bloomington:

Section 1. That the second line of the second paragraph and the second line of the sixth paragraph of section one (1) of an ordinance providing for the regulation and control of telephone, telegraph, electric light, electric power and other electric companies, passed by the city council on November 14, 1890, as printed in the council proceedings, be amended by striking out the word "eight" in each of said lines and inserting in its place the word "seven."

Section 2. That the third line of the third paragraph and the fourth line of the fifth paragraph of section one (1) of the said ordinance, as printed in council proceedings, be amended by striking out the word "seven" in each of said lines and inserting in its place the word "six."

Section 3. That section twelve (12) of the said ordinance, be amended by inserting after the word "for" the last word in the second line of the said section the following words, "and in use in."

Approved this 28th day of November, A. D. 1890.

C.F.KOCH, *Mayor*.

Attest:

R. N. EVANS, *City Clerk*.

CENTRAL UNION TELEPHONE COMPANY

ACCEPTANCE

CENTRAL UNION TELEPHONE CO.

CHICAGO, Ill., December 15, 1890.

To the Honorable, the Mayor, and City Council of the City of Bloomington:

Gentlemen: The Central Union Telephone Company hereby accepts the ordinance passed by you relating to telephone poles, approved the 15th day of November, 1890, as the sections numbered one (1) and twelve (12) of said ordinance are amended by an ordinance for such purpose, passed by you the 28th day of November, 1890; this company stipulating that it desires to do business in said city under said ordinances; and said Central Union Telephone Company hereby receipts to said city in full for all past or present charges or claims, and for unpaid bills for telephone service, which this company has or claims against said city up to this date.

This company hereby files this, its said acceptance, in the office of your city clerk.

Respectfully,

CENTRAL UNION TELEPHONE CO.

By HENRY B. STONE, *President*.

Attest:

W. J. CHOSEMAN, *Secretary*.

PERMIT

Whereas, the Central Union Telephone Company has filed with the city clerk, a statement to the effect that it accepts the ordinance for the regulation and control of telephone, telegraph, electric light, electric power, and other electric companies, as passed by the city council, November 14, 1890, with the amendment thereto passed November 28, 1890; that it desires to do business under the said ordinance, and that it acknowledges the receipt in full from the city of all past or present charges or claims, if any, of unpaid bills for telephone service; therefore be it

Resolved, That the said Central Union Telephone Company be and is hereby permitted to carry on a telephone exchange within the city of Bloomington under the provisions of said ordinance.

Adopted.

Attest:

R. N. EVANS, *City Clerk*.

December 19, 1890.

POSTAL TELEGRAPH—CABLE COMPANY

To the Honorable, the Mayor, and City Council of the City of Bloomington:

Gentlemen:—Your committee, to whom was referred the petition of the Postal Cable Company asking permission to construct and maintain lines of telegraph in the city streets and alleys, would report that we recommend that permission to be granted to said company to erect poles and stretch wires thereon, said permission to be granted under the general ordinance for the control of telephone, telegraph, electric light, and other electric companies, approved November 15, 1890, upon condition that said Postal Telegraph-Cable Company, file with the city clerk its acceptance in writing, of the provisions of said ordinance with a stipulation that it desires to do business thereunder, as provided by section 17, of said ordinance.

OTTO GAFFRON,

F. C. SMITH,

HARVEY HART,

Committee.

Adopted.

WESTERN UNION TELEGRAPH COMPANY

The Western Union Telegraph Company has no franchise ordinance. . . Permission was given said company, July 29, 1870, to continue their line on Center street to uptown office, subject to the same regulations as other telegraph companies in like cases.

HOME TELEPHONE COMPANY

To the Honorable, the Mayor, and the City Council of the City of Bloomington:

Gentlemen:—Your committee to whom was referred the petition of James B. Taylor, F. M. Funk, and other citizens of Bloomington, asking the privilege of erecting and operating a telephone system in the city of Bloomington, under the rights and conditions that are now extended to the Central Union Telephone Company, would recommend that the prayer of the petitioners be granted on the same terms and conditions as those of the Central Union Telephone Company, as provided for in ordinance approved November 15, 1890, and the amendments thereto with the further condition that the said telephone company furnish to the city of Bloomington, twenty telephones free of charge in place of the nine furnished by the Central Union Telephone Company and that they accept the conditions of said ordinance, in writing, within thirty days from this date, and that they have their plant in operation with 250 'phones in use by the first day of October, 1894. And that said company shall not charge more rent for said telephone than the price stipulated in the copy of contract hereto attached during the continuance of this franchise. And that their rights under said franchise shall continue for ten years, from October 1, 1894.

J. S. NEVILLE,
HARVEY HART,
EDWARD HOLLAND.

Adopted May 25, 1894.

Committee.

To the Honorable, the Mayor, and City Council of the City of Bloomington:

The Home Telephone Company respectfully petitions for the following modifications of franchise granted by you to company:

1. That time limit of October 1, 1894, stated for completion of stated amount of work shall not be enforced, if, on account of labor troubles or difficulties of transportation or other like substantial cause made known to the council, there be unavoidable delay.

2. That eleven (11) free telephones being furnished the city in the beginning, nine (9) additional free 'phones for the city schools be not demanded for first three years of franchise, but be furnished thereafter.

3. That life of franchise be fifteen years.

These modifications being granted, the company accepts the terms of the franchise, and will proceed to carry them out in good faith. In asking the above modifications from the council, the Home Telephone Company does not wish to seem captious, but are led by the uncertainty of business ventures and the need of certain conditions to make capital safe.

Respectfully submitted,

JAS. B. TAYLOR,	A. B. HOBLIT,
F. M. FUNK,	H. C. DEMOTTE,
OWEN SCOTT,	B. M. KUHN,
JOHN T. LILLARD,	CHAS. L. CAPEN.

Alderman Neville moved that the prayer of the petitioners be granted and that the franchise be granted in accordance with the report of the committee, adopted at the last regular meeting of the council, May 25, 1894, and as modified above.

The motion prevailed.

To the Honorable, the Mayor and the City Council of the City of Bloomington:

GENTLEMEN:—Your committee on public improvements, to whom was referred the petition of the Home Telephone Company, in regard to the city's granting an extension of franchise of the Home Telephone Company in this city, would most respectfully recommend that the franchise of said telephone company be extended to October 1, 1921, under the same terms and conditions and subject to the same restrictions as are now imposed upon said company, and under the same ordinance under which they were first permitted to operate their line in this city.

Very Respectfully submitted,

JOHN J. PITTS,

F. L. LANG,

R. MAXTON,

Adopted the 12th day of January, 1900.

Committee.

ORDINANCE

AN ORDINANCE GRANTING EXTENSION OF FRANCHISE TO HOME TELEPHONE COMPANY, ITS GRANTEES, SUCCESSORS AND ASSIGNS.

Be it Ordained by the City Council of the City of Bloomington:

Section 1. That the franchise or right of the Home Telephone Company, its grantees, successors and assigns, to use the streets and alleys of the City of Bloomington on the terms and conditions provided by the present existing ordinance is hereby extended to October 31st, 1931, which extension is for ten (10) years beyond the present time of expiration of the said franchise. This extension of franchise is under the same terms and conditions, and subject to the same restrictions, as are now imposed upon the said Company, and under the same ordinance under which said Home Telephone Company now operates its lines in Bloomington.

Passed this 16th day of June, A. D. 1905.

Approved this 17th day of June, A. D. 1905.

J. S. NEVILLE, *Mayor.*

Attest:

HERBERT L. DENISON, *City Clerk.*

ACCEPTANCE

Accepted by Home Telephone Company, for itself, its grantees, successors and assigns this 17th day of June, A. D. 1905.

HOME TELEPHONE COMPANY,

By HART F. FARWELL,

Manager and Secretary.

AGREEMENT CONCERNING FREE TELEPHONES FOR CITY AND BOARD OF EDUCATION

THIS AGREEMENT, Made and entered into this January 1st, A. D., 1916, by and between the undersigned three parties, Kinloch-Bloomington Telephone Company, the City of Bloomington and the Board of Education of the City of Bloomington, each of Bloomington, McLean County, Illinois.

WITNESSETH: That whereas, the undersigned three parties entered into a written agreement dated September 30, A. D., 1915, with reference to the twenty (20) free telephones granted to the City of Bloomington by said Telephone Company, as franchise consideration. By which agreement, if it should be thereafter approved by the Public Utilities Commission of the State of Illinois, the use of three (3) additional free telephones was to be added, making twenty-three (23) in all, as said municipal franchise consideration.

And, whereas, the said Public Utilities Commission of the State of Illinois declined to approve and confirm said contract granting said three additional free telephones, etc., unless the City of Bloomington granted a new street franchise to said Kinloch-Bloomington Telephone Company, and whereas, it not being desired that such new street franchise ordinance be passed.

NOW, THEREFORE, in lieu of said written contract "Exhibit A" attached hereto, the parties thereto and hereto do now hereby make and enter into the following contract, namely:

IT IS HEREBY STIPULATED AND AGREED in consideration of the foregoing and of the recitals and statements contained in said "Exhibit A" hereto attached, that Kinloch-Bloomington Telephone Company is from and after this date, January 1, 1916, to continue to furnish the use of the twenty (20) free telephones, as provided by its franchise or street grant.

It is further hereby agreed between the City of Bloomington and the said Board of Education of the City of Bloomington that of said twenty (20) free telephones the City of Bloomington is to have and use to and until the expiration of said street rights or franchise in 1931, free of rental or charge for city and municipal uses, fourteen (14) of said twenty (20) Kinloch-Bloomington telephones, for municipal uses, and said Board of Education of the City of Bloomington is to have and use, to and until the expiration of said telephone street rights or franchise in 1931, free of rental or charge, for said school uses, the remaining six (6) of said twenty (20) franchise Kinloch-Bloomington telephones.

Said Telephone Company to have no privity of contract with said Board of Education of the City of Bloomington, except to furnish, through and for the City of Bloomington, to said Board of Education of the City of Bloomington, the free use of six (6) of said twenty (20) city franchise telephones.

And whereas, the said City of Bloomington has been accustomed in attempted conformance with its ordinance upon that subject, to make an annual charge against said Kinloch-Bloomington Telephone Company of ten

(10c) cents a pole for each pole in the public streets, alleys, or other public places in said City, and ten (10c) cents per mile for each mile of wire maintained in said city, as a charge, not only for annual inspection of said Telephone Company's system of wiring and poles, but "*also as payment for use of portions of the public grounds in the public streets, alleys, parks or other public places in said City.*"

And whereas, said Kinloch-Bloomington Telephone Company has paid and is paying, by the terms of its said franchise, by furnishing the use of said twenty (20) free telephones, for its use of portions of the public grounds in the public streets, alleys, parks or other public places in said City and can only be charged for annual municipal inspection of its system of wiring and poles in said city, but not additional rental or charge for the use of the streets, alleys, etc., in said city for its said poles.

IT IS NOW, THEREFORE, hereby agreed by and between the undersigned Kinloch-Bloomington Telephone Company and the undersigned the City of Bloomington that said telephone company will pay to and until the expiration of said franchise in 1931, to said City of Bloomington the sum of Two Hundred Dollars (\$200.) per year, payable semi-annually, One Hundred Dollars (\$100.) each July 1st, and One Hundred Dollars (\$100.) each December 31st, as consideration to cover and pay in full for all inspection by and for said City of Bloomington of all systems of wiring and poles in said City of said Kinloch-Bloomington Telephone Company, its successors or assigns.

AND WHEREAS, the rental bill for said nine (9) disputed school telephones has not been paid to said Kinloch-Bloomington Telephone Company for some years past by either the said City of Bloomington or said Board of Education of the City of Bloomington, and the same is now due to said telephone company, and

WHEREAS, said Kinloch-Bloomington Telephone Company has not for some years past paid to said City of Bloomington any inspection charges, the bills rendered for the same having been mixed with and made to include street rental charges, and whereas, all of said items have been and are in dispute and unsettled;

NOW, THEREFORE, the said respective claims and counter-claims, viz.: all sums claimed by the said City against said Telephone Company, and all amounts claimed by said telephone company against said City and said Board of Education of the City of Bloomington, being about equal in amount on each side, the said bills, accounts, claims and demands, prior to December 31, 1915, are for the purpose of adjustment and settlement, hereby canceled and discharged in full, and off-set against each other, and are by the respective parties hereto hereby receipted for in full.

The said Telephone Company is hereafter to pay the said City Two Hundred (\$200.) Dollars per annum from January first, 1916, as aforesaid.

Said City of Bloomington from January 1, 1916, is to pay said Kinloch-Bloomington Telephone Company for all telephones it uses in excess of fourteen (14), telephones.

The said Board of Education of the City of Bloomington is hereafter from January 1, 1916, to pay to the said Kinloch-Bloomington Telephone Company for the use of all telephones it uses in excess of six (6) telephones.

IN WITNESS WHEREOF the said parties have executed this agreement by proper municipal and corporate authority respectively.

KINLOCH-BLOOMINGTON TELEPHONE COMPANY,

By JOHN T. LILLARD, *President*.

Attest:

THE CITY OF BLOOMINGTON,

By E. E. JONES, *Mayor*.

Attest:

FRED R. EVANS, *City Clerk*.

THE BOARD OF EDUCATION OF THE CITY OF BLOOMINGTON,

By HORATIO G. BENT, *President*.

Attest:

MATTIE C. BISHOP, *Secretary*.

AMERICAN TELEPHONE AND TELEGRAPH COMPANY

ORDINANCE

AN ORDINANCE GRANTING PERMISSION TO THE AMERICAN TELEPHONE AND TELEGRAPH COMPANY OF ILLINOIS, ITS SUCCESSORS AND ASSIGNS, THE RIGHT, PRIVILEGE AND AUTHORITY TO CONSTRUCT, OPERATE AND MAINTAIN LINES OF TELEPHONE AND TELEGRAPH UPON, ALONG AND UNDER THE HIGHWAYS OF THE CITY OF BLOOMINGTON, ILLINOIS.

Be it Ordained by the City Council of the City of Bloomington, County of McLean and State of Illinois:

Section 1. That the American Telephone and Telegraph Company of Illinois, its successors and assigns, be and the same are hereby granted the right, privilege and authority to construct, operate, and maintain its lines of telegraph, and telephones upon, along, and under the highways of the city of Bloomington, upon the terms and conditions hereinafter provided.

Section 2. All poles shall be erected and located under the direction and supervision of the committee on streets and alleys and on all streets that may be disturbed or damaged in the construction of the said line, shall be promptly replaced, and repaired by the said company at its own expense, and to the satisfaction of the said committee on streets and alleys, and no such pole shall be placed in or so placed as to injure any sidewalk of said city.

Section 3. Said company shall be subject to all ordinances now in force or that may hereafter be passed relative to the use of the public highways of the said city. And in the erection of its poles and stretching its

wires and in using the same, said company shall not at any time cut or injure any trees or limb or branch thereof in the streets and alleys of said city, without the permission of the committee on streets and alleys of said city first obtained for the purpose and in accordance with the directions of said committee.

Section 4. In consideration of the rights and privileges herein granted, said company shall provide free of cost to said city, one ten-pin cross arm to be attached at the top of all poles erected under this ordinance for the police and fire alarm telegraph system of said city.

Section 5. The said common council of the said city of Bloomington hereby reserves the right to grant a like consent to any other telephone or telegraph company for like purposes.

Section 6. Said American Telephone and Telegraph Company of Illinois shall, so far as possible, use the poles of other telegraph, telephone and electric companies now in said city, but shall have the right to replace any existing poles upon the consent of the owner, and in case of any disagreement between said American Telephone and Telegraph Company of Illinois and any of said other companies as to the proper compensation to be paid by said American Telephone and Telegraph Company of Illinois for the use of any pole or poles, then the decision of the judiciary committee of the city of Bloomington, shall be final and conclusive and shall be abided by, by said American Telephone and Telegraph Company of Illinois.

Section 7. The franchise herein provided for is granted subject to the right of said city of Bloomington to hereafter pass and enforce a general ordinance or ordinances requiring the payment of reasonable license fees and taxes on telegraph, telephone and other electric poles and wires in the streets and alleys of said city and also subject to the general police powers of said city of Bloomington with reference to the regulation and control of such poles and wires, which general reasonable ordinances, said American Telephone and Telegraph Company of Illinois, agrees to obey and the requirement of the payment of license fees and taxes therefor, and also subject to the ordinance of said city relative to the use of the public streets and alleys and other public places of said city.

Section 8. All poles erected by said company shall be not less than thirty feet in height and shall be neat and symmetrical and shall be painted and kept well painted and no wire shall be less than twenty-five feet above the surface of the ground and in case it shall become necessary to temporarily remove any of said poles or wires in order to move any building or other structure along any street or alley, the American Telephone and Telegraph Company of Illinois shall, upon notice, remove such pole or poles and wires for the said purpose and replace the same at its own expense.

Section 9. The franchise granted by this ordinance is granted upon the condition that said American Telephone Company of Illinois, shall within thirty days from this date establish and thereafter continue to maintain a central office for the conduct of long distance telephone business in some central part of the city of Bloomington convenient for the accommodation of business in the central portions of said city; and also a public telegraph office whenever said company shall engage in a public telegraph business.

Section 10. This ordinance shall not be in force except upon the filing by said American Telephone and Telegraph Company of Illinois, its acceptance in writing unconditionally of the terms hereof, in the office of the city clerk of said city of Bloomington within thirty days after its passage.

Approved this 24th day of July, 1896.

D. T. FOSTER, *Mayor*.

Attest:

R. N. EVANS, *City Clerk*.

This ordinance was accepted by the said American Telephone and Telegraph Company of Illinois.

WIRES PLACED UNDERGROUND IN CERTAIN DISTRICT ORDINANCE

AN ORDINANCE DECLARING ALL OVERHEAD CABLES, WIRES, AND POLES USED FOR THE SUSPENSION OF ELECTRIC WIRES ON ALL PUBLIC STREETS AND ALLEYS WITHIN CERTAIN TERRITORY IN THE CITY OF BLOOMINGTON, TO BE NUISANCES AND A MENACE TO THE LIVES AND WELL BEING OF THE INHABITANTS, AND ORDERING THE SAME TO BE PLACED UNDERGROUND WITHIN A CERTAIN PRESCRIBED TIME, AND REGULATING ELECTRIC COMPANIES AND APPLIANCES.

Be it Ordained by the City Council of the City of Bloomington:

Section 1. That all overhead wires and cables, and all poles or apparatus used for the suspension of overhead wires and cables, in, upon or along, or over any of the streets and alleys of the city of Bloomington, within the following territory, to-wit: Bounded on the west by the west line of Madison street; on the south by the south line of Olive street; on the east by the east line of East street, and on the north by the north line of Locust street, except such as must of necessity be above ground, are hereby declared, to be nuisances and to be a constant menace to the lives and welfare of all persons rightfully traveling or being upon the public streets or alleys in said district, greatly hindering and obstructing the fire departments of the city while engaged in extinguishing fires in said district.

Section 2. That inasmuch as it has become feasible and practicable to construct and operate underground subways and systems of conduits capable of holding all wires and cables strung above or over the streets and alleys within the district above described.

That within six months from the date of the service upon the respective companies owning and operating systems of wires, cables or poles, or other similar apparatus, upon the public streets and alleys of the city of Bloomington, within the above district, of the notice to remove the poles and to place the wires and cables underground, the respective companies shall cause said poles to be removed from the streets and alleys in said district, and the wires, cables, etc., to be placed in conduits or subways underground.

Section 3. In the case of street railways operated by electric power, the poles to which the wires supporting the trolley wires are connected, shall be made of steel or iron, of a neat design and of uniform height and thickness, neatly painted, and shall not be nearer to each other on the same side of the street than one hundred and fifty (150) feet.

Power wires of all companies shall be placed underground in said district, regardless of the fact that poles may of necessity be permitted for the purpose of supporting trolley wires.

Section 4. That in case of the refusal of any company or companies owning or operating systems of poles and wires and other electrical apparatus within the district herein described, to comply with the terms and conditions of this ordinance within six months after due notice of the same has been properly served upon the officers or agents thereof, as provided in the respective ordinances granting the right to operate their respective systems of poles and wires in the public streets and alleys within said district and the city at large, said company or companies shall forfeit all rights and privileges whatever under the respective franchise ordinances; and it shall be lawful for the City Electrician, or any other officer to cause all poles and wires owned or operated by said company or companies to be at once removed.

Section 5. That the following scale of charges for the use of electric ducts now laid or established, or hereafter to be laid or established in the public streets, alleys or other public places in the city of Bloomington, are hereby adopted and made a part of all franchise ordinances, granting rights to operate conduits, subways, etc., in public streets or alleys within the corporate limits of the city of Bloomington, to-wit:

For 1 duct, not in excess of 5c per lineal foot, annually.

For 2 ducts, parallel ducts, not in excess of 9c per lineal foot, annually.

For 3 ducts, parallel ducts, not in excess of 12c per lineal foot, annually.

For 4 ducts, parallel ducts, not in excess of 14c per lineal foot, annually.

More than 4 ducts, not in excess of 3c per lineal duct foot, annually.

Which said rates of charges may be changed at the option of the City Council from time to time; provided, that any rates so fixed shall not be less than may be necessary to defray the actual cost of operation, maintenance, and reasonable profits on the investment.

Section 6. That in case of the failure of any company, firm or individual to make satisfactory arrangements with the present conduit company or any company operating conduits or subways, regarding space to be used and the price to be paid for the rental of conduits or subways, the City Council will grant to all such persons, companies or firms, the right, under reasonable restrictions, to construct its or their own system of conduits or subways in the public streets and alleys of the city of Bloomington; provided, that all conditions and requirements of law be first complied with; and further provided, that all conduits and subways, other than those for which franchise ordinances have already been passed, shall be laid and constructed in the same trench, except when in the judgment of the City Electrician and Light Committee this is not possible and practicable, in order that the public pavements and streets be torn up as little as possible.

Section 7. That a copy of this ordinance be delivered to all companies owning or operating systems of poles and wires within the district herein specified.

Section 8. That the Consumer's Heat and Electric Company be notified of the passage of this ordinance and that the said electrical company file its written acceptance of the terms and conditions of the same in the office of the City Clerk of the city of Bloomington, within thirty days after its passage.

Section 9. Any person, firm or corporation violating any of the terms or conditions of this ordinance shall be liable to a fine of not less than three nor more than two hundred dollars for each and every violation thereof.

Section 10. This ordinance shall take effect from and after its passage and due publication.

Passed this 15th day of March, 1901.

Approved this 16th day of March, 1901.

LEWIS B. THOMAS, *Mayor*.

Attest:

C. C. HASSLER, *City Clerk*.

ACCEPTANCE

BLOOMINGTON, ILLINOIS, April 6, 1901.

To the Honorable, the Mayor, and City Council of the City of Bloomington:

The Consumers Heat & Electric Company hereby accepts the ordinance passed by the City Council, requiring electric lighting companies

to go underground. The provisions of this ordinance are accepted with the understanding that if the route of the conduit system should be modified by the City Council, then the franchise of this company should be modified to correspond with such modification of the route.

Respectfully submitted,

CONSUMERS HEAT AND ELECTRIC COMPANY,

By HENRY D. SPENCER, *Secretary*.

ORDINANCE

AN ORDINANCE REPEALING ORDINANCES OF THE CITY OF BLOOMINGTON PASSED AUGUST 30, 1901, AND SEPTEMBER 6, 1901, GRANTING TO THE CENTRAL UNION TELEPHONE COMPANY, THE BLOOMINGTON ELECTRIC LIGHT COMPANY, THE HOME TELEPHONE COMPANY, THE WESTERN UNION TELEGRAPH COMPANY, THE POSTAL TELEGRAPH-CABLE COMPANY, AND THE AMERICAN TELEPHONE AND TELEGRAPH COMPANY THE RIGHT TO CONSTRUCT AND MAINTAIN IN AND UNDER CERTAIN STREETS AND ALLEYS IN THE CITY OF BLOOMINGTON, PIPES, WIRES, CABLES, CONDUITS, AND FIXTURES FOR THE MAINTENANCE OF THEIR RESPECTIVE LINES, AND ORDERING SAME TO BE PLACED UNDERGROUND WITHIN A CERTAIN PRESCRIBED TIME, AND WITHIN A CERTAIN TERRITORY, IN THE CITY OF BLOOMINGTON, ILLINOIS.

Whereas, on March 15, 1901, the City Council of the City of Bloomington, passed an ordinance declaring all overhead cables, wires and poles used for the suspension of electric wires on all public streets and alleys within a certain territory in the City of Bloomington to be nuisances and a menace to the lives and well being of the inhabitants and ordering the same to be placed underground within a certain prescribed time, and regulating the companies and appliances.

And whereas, owing to several communications and conferences had with different companies operating telephone, telegraph, and electric companies in the City of Bloomington, after the passage of the above mentioned ordinance, ordinances were passed August 30, 1901, and September 6, 1901, granting certain privileges and rights contrary to said ordinance passed March 15, 1901, which allowed certain companies privileges to operate overhead with their wires, cables and poles certain of their lines in the underground district fixed by the ordinance passed March 15, 1901, therefore

Be it Ordained by the City Council of the City of Bloomington:

That the ordinances passed August 30, 1901, and September 6, 1901, granting to the Central Union Telephone Company its successors and assigns the right to construct and maintain in and under the streets, alleys and public places in the City of Bloomington, Illinois, underground pipes,

conduits, cables, wires and fixtures for the maintenance of its telephone lines, and authorizing the Bloomington Electric Light Company and its assigns to remove its poles and wires from Grove, Front, Washington, Jefferson, Monroe, Market, Mulberry, Madison, Center, Main and East streets in the district bounded by Locust street on the north, Olive street on the south, West street on the west and East street on the east, and to erect and maintain other poles on a part of Grove street, a part of Main street, and a part of East street and to erect and maintain brackets and poles in the alleys of said district and to suspend its wires and apparatus therefrom, pursuant to an ordinance passed March 15, 1901, and granting to the Home Telephone Company, its successors and assigns the right to construct and maintain a conduit in and under Jefferson street from its present exchange about 155 feet west of Center street to the east line of the Griesheim building, about 132 feet east of Main street and authorizing it to remove its poles and wires from the streets in the district bounded by Locust street on the north, Olive street on the south, Madison street on the west and East street on the east, and to suspend its wires and apparatus from poles in the alleys of said district, be repealed wherever they conflict in any way whatever with the ordinance passed March 15, 1901, and that the ordinance passed March 15, 1901, be the governing act of the City of Bloomington as to placing underground all wires, cables, etc., of the companies doing business in the territory described in said ordinance.

Passed this 27th day of July, A. D. 1906.

Approved this 28th day of July, A. D. 1906.

Attest:

J. S. NEVILLE, *Mayor*.

HERB'T L. DENISON, *City Clerk*.

BLOOMINGTON CEMETERY ASSOCIATION

AN ACT—TO INCORPORATE THE BLOOMINGTON CEMETERY ASSOCIATION.

Section 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:*

That Linus Graves, James H. Robinson, David Brier, William H. Allen, and William E. Graves, and their successors, be and they are hereby constituted a body corporate and politic, by the name and style of "The Bloomington Cemetery Association," and by that name to have perpetual succession; and shall have and possess and be invested with all the powers, rights, privileges and immunities incident to a corporate body.

Section 2. The capital stock of said company shall consist of ten thousand dollars, to be divided into shares of one thousand dollars each, which stock may be paid in real estate; and upon the subscription of five shares said company may organize and proceed to business.

Section 3. The quantity of land to be received for stock subscriptions, or held by said company, shall be limited to one hundred acres; and in the receipt of real estate as stock, a majority of said board shall fix the value of said real estate so taken as stock.

Section 4. All real estate, either purchased or taken as stock, shall be conveyed to said company, for the purposes hereinafter named.

Section 5. The object of said association shall be, exclusively and solely, to lay out and inclose and ornament a plat or piece of ground not to exceed one hundred acres, as aforesaid, to be used as a burial place, to which, if thought best, may be added a floral garden by said association; and said piece of ground so held and platted shall be exempt from taxation and execution.

Section 6. The officers of said association shall be a president and secretary, (said secretary shall also act as treasurer), who, with one other of said association, may pass necessary by-laws or do any other business; said officers of president and secretary to be chosen on the first Monday of April in each year, and hold their offices until their successors are chosen; and a failure to elect on said day shall not operate as a forfeiture of this charter. Any vacancy that may happen at any time in said offices of president or secretary, such vacancies may be filled by a majority of said corporate members or their successors.

Section 7. Said association shall have power to sell and convey any portion of their land or lots in said burial ground, for the purpose of a burial place. The evidence of title to the purchaser shall be a certificate signed by the secretary of the association as such.

Section 8. Upon the death, resignation or removal of any or either of the above corporate members, a majority of the remaining members shall proceed to fill said vacancy or vacancies.

Section 9. Certificates of purchase of any lot or ground from said association, shall not be assignable but by the consent of the secretary of said company. Said certificate may be surrendered to said association, and a new one issued to any person designated by the original holder of the same.

Section 10. One-fourth of all moneys received for sale of ground, for the purposes aforesaid, shall be expended in improving and ornamenting said grounds so to be laid out, as aforesaid, the balance to be paid to the stockholders.

Section 11. This act to take effect from and after its passage.

Approved February 16, 1857.

PARK HILL CEMETERY**RESOLUTION**

Be It Resolved by the Council of the City of Bloomington:

That permission is hereby granted to Cassius M. Harlan, Marshall G. Linn, Louis B. Merwin and Spencer Ewing, their heirs and assigns, to lay out, operate and maintain a burial park on the following described premises, to-wit:

Lots One (1), Two (2), Seven (7) and Eight (8) of the North East Quarter (NE $\frac{1}{4}$) of Section Eight (8) in Township Twenty-three (23) North, Range Two (2) East of the Third Principal Meridian, according to plat recorded in Book 34 Deeds, page 71 of the Records of McLean County, Illinois. Also Lot Two (2) of the South East Quarter (SE $\frac{1}{4}$) of Section Eight (8) in said Town and Range, according to plat recorded in Book 34 Deeds, page 73 of the Records of McLean County, Illinois, containing in all Thirty (30) acres, more or less.

This permission is given upon the condition, however, that so long as there shall be unsold lots for sale in such burial park, the above named persons or their heirs and assigns or the then owner of any unsold portion of said burial park shall also sell single graves to citizens of the City of Bloomington, for the sum of Fifteen (\$15.00) Dollars each, said sum to include the opening and closing of such grave, and also its perpetual maintenance.

Be It Further Resolved, that this resolution shall not be construed in any way to effect or substract from the power of the City of Bloomington, irrespective of the source of such power, to regulate and control said burial park in the future.

Adopted this 7th day of April, A. D. 1916.

E. E. JONES, *Mayor*.

Attest:

FRED R. EVANS, *City Clerk*.

AGREEMENT

THIS AGREEMENT made and entered into this third day of April, 1916, between Cassius M. Harlan, Marshall G. Linn, Louis B. Merwin and Spencer Ewing of the City of Bloomington and the City of Bloomington, Illinois.

WITNESSETH, That the said Cassius M. Harlan, Marshall G. Linn, Louis B. Merwin and Spencer Ewing hereby agree for themselves, their heirs, executors, administrators and assigns to convey to the said City of Bloomington by good and sufficient deed, at any time that the said City of Bloomington may demand said conveyance, the following described real estate lying and being in the City of Bloomington, McLean County, and State of Illinois.

Twenty-five (25) feet off of the entire west side of Lots Two (2) and Seven (7) of the North East Quarter (NE $\frac{1}{4}$) of Section Eight (8) Town-

ship Twenty-three (23) North, Range Two (2) East of the Third Principal Meridian according to a plat recorded in Book 34 of Deeds, page 71 of the records of said McLean County, Illinois, to be used for a public street.

CASSIUS M. HARLAN, (Seal).

LOUIS B. MERWIN, (Seal).

M. G. LINN, (Seal).

SPENCER EWING, (Seal).

**ORDINANCES RELATING TO THE EXTENSION OF THE
SHOPS, ETC., OF THE CHICAGO AND ALTON
RAILROAD COMPANY IN BLOOMINGTON,
INCLUDING THE CONTRACT
CONCERNING THE SAME**

ORDINANCE

AN ORDINANCE CLOSING CERTAIN STREETS, PROVIDING VIADUCTS, FOOTWAYS AND A SUBWAY OVER, ACROSS AND UNDER THE RIGHT OF WAY OF THE CHICAGO & ALTON RAILROAD COMPANY, IN THE CITY OF BLOOMINGTON, ILLINOIS, AND TO PROMOTE THE SAFETY AND GENERAL WELFARE OF THE PEOPLE.

WHEREAS, The Chicago & Alton Railroad Company, a corporation organized under the laws of the State of Illinois, is now the owner of and operating a certain railroad running through the City of Bloomington, its tracks crossing certain streets of the city, to-wit: Locust street, Chestnut street, Seminary avenue and Division street; and the said railroad company is also the owner of and operating its main and principal machine and repair shops in the City of Bloomington along the west side of its right of way north of Chestnut street and south of Seminary avenue; and

WHEREAS, Chestnut street, Seminary avenue and Division street at this time are closed a large portion of the time by the necessary and legitimate traffic of the said railroad company and when open to travel are highly dangerous to the safety of the public required to pass over and upon the said railroad tracks at those points; and

WHEREAS, the said railroad company is desirous of closing the aforesaid dangerous crossings and making ample provision for the convenience of the public in lieu thereof, and is also desirous of greatly increasing the capacity of its main and principal machine and repair shops and appurtenances thereto in the City of Bloomington; and,

WHEREAS, The said Railroad Company is about to enter into a contract with the Bloomington Business Men's Association of Bloomington, Illinois, a corporation not for pecuniary profit and organized for the purpose of promoting the general welfare of the people of the city, whereby

the said Business Men's Association, through a fund procured by popular subscription, agrees to procure and convey to the said Railroad Company certain additional lots, blocks, tracts and parcels of land for the further development of the said Railroad Company's main and principal machine and repair shops and appurtenances thereto, so as to increase the capacity of the said shops and procure the permanent location thereof in the City of Bloomington as the main and principal shops of said Railroad Company; and

WHEREAS, in and by the fulfillment of the proposed contract between the Chicago & Alton Railroad Company and the Bloomington Business Men's Association, the City of Bloomington will receive great benefit by reason of its increased taxing powers and increased population; now, therefore,

Be it Ordained by the City Council of the City of Bloomington:

Section 1. That that portion of Chestnut street in the City of Bloomington lying between the east line of the right of way of the Chicago & Alton Railroad Company and a point fifty (50) feet east of the east line of Lumber street, be, and the same is hereby vacated. Provided, that the said Chicago & Alton Railroad Company shall construct and maintain, and by the acceptance of this ordinance it agrees to construct and maintain upon that portion of Chestnut street hereby vacated, a suitable reinforced concrete foot bridge, which shall, exclusive of approaches, cover the entire portion of the street hereby vacated. The said foot bridge shall contain a footway of at least ten (10) feet in width in the clear, which shall be properly guarded at the sides thereof for the safety of pedestrians. At each end of said foot bridge there shall be constructed good and sufficient covered approaches. Said foot bridge shall be constructed in substantial compliance with the plans and specifications therefor and shown upon the blue print prepared by the said Railroad Company, entitled, "Chicago & Alton R. R. reinforced concrete foot bridge over Chestnut street, Bloomington, Illinois. General plan. Scale as noted. Chief Engineer's Office, Chicago, Illinois, June 1910." Said blue print being numbered 8972 and approved by the Chief Engineer of said Railroad Company and now on file in the office of the City Clerk and made a part hereof by reference. Said foot bridge to be constructed and maintained at such height as to provide headroom of twenty-two (22) feet above the top of the rails of the tracks of said Railroad Company as now laid across said street.

Section 2. That that portion of Seminary avenue in the City of Bloomington lying within the east and west lines of the right of way of the Chicago & Alton Railroad Company, be, and the same is hereby vacated. Provided, that the Chicago & Alton Railroad Company shall construct and maintain, and by the acceptance of this ordinance it agrees to construct and maintain, upon that portion of Seminary avenue hereby vacated, a suitable reinforced concrete foot bridge, which shall, exclusive of approaches, cover the entire length of the portion of the street hereby

vacated. The said foot bridge shall contain a footway of at least eight (8) feet in width in the clear, which shall be properly guarded at the sides thereof for the safety of pedestrians. At each end of said foot bridge there shall be constructed good and sufficient covered approaches. Said foot bridge shall be constructed in substantial compliance with the plans and specifications therefor and shown upon the blue print prepared by the said Railroad Company, entitled, "Chicago & Alton R. R. reinforced concrete foot bridge over Seminary avenue, Bloomington, Ill. General plan. Scale as noted. Chief Engineer's office, Chicago, Ill., June, 1910." Said blue print being numbered 8979 and approved by the Chief Engineer of said Railroad Company and now on file in the office of the City Clerk and made a part hereof by reference. Said foot bridge to be constructed and maintained at such height as to provide headroom of twenty-two (22) feet above the top of the rails of the tracks of said Railroad Company as now laid across said avenue.

Section 3. That the said Chicago & Alton Railroad Company shall remove the viaduct which it is maintaining at the date of the passage of this ordinance over its right of way at the intersection of West Locust street in the City of Bloomington, and replace the same with a new viaduct which shall furnish the public with a roadway twenty-eight (28) feet in width in the clear. And on each side of the said roadway and as a part of said viaduct, the said Railroad Company shall construct and maintain safe and suitable foot passages or sidewalks for pedestrians, which shall be six (6) feet in width in the clear. The said viaduct shall be constructed at such height as to give headroom of twenty-one (21) feet from the top of the rails as now laid. Said viaduct shall be constructed and maintained in substantial compliance with the plans and specifications therefor and shown upon the blue print prepared by said Railroad Company, entitled, "Chicago & Alton R. R. reinforced concrete viaduct Locust street, Bloomington, Ill. General plan. Scale as noted. Chief Engineer's office, Chicago, Ill., June 1910." Said blue print being numbered 8982 and approved by the Chief Engineer of said Railroad Company and now on file in the office of the City Clerk and made a part hereof by reference.

Section 4. That the viaduct which at the date of the passage of this ordinance is maintained over the right of way of the Chicago & Alton Railroad Company at Locust street shall be removed by the said Railroad Company and placed at right angles across the right of way of the said Railroad Company at a point where the east end thereof will rest upon Emerson street when produced to the west; that the said viaduct shall be placed in first class condition and repair and so maintained at said place by said Company. The sidewalk now on the north side of the said viaduct shall be retained and maintained, and on the south side thereof the said Company shall construct and maintain a similar sidewalk. Said viaduct shall be constructed at such a height as to permit headroom of twenty-two (22) feet from the top of the rails of said Company as now

laid at said point. The work to be done and the materials to be furnished in the installation of this viaduct shall be in substantial compliance with the plans and specifications therefor and shown upon the blue print prepared by the said Railroad Company, entitled, "Chicago & Alton R. R. steel viaduct Emerson street, Bloomington, Ill. General Plan. Scale as noted. Chief Engineer's office, Chicago, Ill., June, 1910." Said blue print being numbered 8981 and approved by the Chief Engineer of said Railroad Company and now on file in the office of the City Clerk and made a part hereof by reference.

Section 5. That the Chicago & Alton Railroad Company shall construct a safe and suitable subway for Division street under the said Company's tracks; that the subway shall be so constructed as to furnish head-room through said subway to the extent of thirteen and one-half ($13\frac{1}{2}$) feet from the bottom grade line thereof. The said subway shall be constructed with safe and suitable concrete abutments and steel girders. The distance between the inside faces of the abutments to be at least forty-four (44) feet, and the support therefor and the girders to be so arranged as not to impede public travel, and these and all other portions and parts of said subway to be constructed and maintained in substantial compliance with the plans and specifications therefor and shown upon the blue print prepared by said Railroad Company, entitled, "Chicago & Alton R. R. reinforced concrete subway at Division street, Bloomington, Ill. General plan. Scale as noted. Chief Engineer's office, Chicago, Ill., June, 1910." Said blue print being numbered 8980 and approved by the Chief Engineer of said Railroad Company and now on file in the office of the City Clerk and made a part hereof by reference. The said Company shall at the time of the construction of the subway at Division street make proper provision for suitable drainage therefor.

Section 6. The Chicago & Alton Railroad Company, inasmuch as that portion of Chestnut street west of the Company's right of way is detached from the remainder of Chestnut street by reason of said vacation, shall pay the entire cost and expense of paving Lumber street from the south line of Chestnut street to the north line of Locust street, the said pavement to be constructed in substantial compliance with the plans and specifications therefor which may be hereafter prepared by the Board of Local Improvements of the City of Bloomington. It being understood that the pavement to be constructed shall be a standard vitrified paving block pavement with a six-inch concrete foundation, with proper concrete or stone curbs, to be of the width of thirty (30) feet from curb to curb. It is further provided that after the plans and specifications for the said pavement are prepared and the improvement fully designed according to law, that the contract for the same shall be let in the manner provided by statute for the letting of contracts for similar improvements where they are to be paid for by special assessment, and the said Chicago & Alton Railroad Company by the acceptance of this ordinance agrees that after the said improvement shall be made and the exact cost thereof

ascertained, that the said Railroad Company will pay to the City of Bloomington the entire cost and expense thereof within thirty (30) days after the presentation to it or its agents of a certificate signed by the City Engineer of the City of Bloomington of such cost and expense.

Section 7. In consideration of the full performance of all the things herein provided to be done by the Chicago & Alton Railroad Company, the City of Bloomington agrees to provide suitable approaches up to the right of way of the Chicago & Alton Railroad Company for the viaducts at Locust and Emerson streets, and the subway at Division street and pay the costs and expenses thereof, including all damages, if any, to abutting property on account of the construction and maintenance of said approaches, out of a fund to be hereafter created by the City of Bloomington for that purpose. All work herein provided to be done by the City of Bloomington shall be done at the time of the construction of said viaducts and subway and in such manner as to properly facilitate the work which is to be done by the said Railroad Company. It being expressly understood that at the time of the construction of the pavement on Lumber street and the installation of the new viaduct at Locust street, that the city shall pave at its own expense the intersection of Lumber and Locust streets and the roadway on Locust street from the intersection aforesaid to the west line of the right of way of the said Railroad Company on Locust street.

Section 8. The plans and specifications for the foot bridges at Chestnut street and Seminary avenue and the viaducts for Locust street and Emerson street, and the subway at Division street across the right of way of the Chicago & Alton Railroad Company above referred to, as shown by the blue prints therefor now on file in the office of the City Clerk of the City of Bloomington, be, and the same are hereby approved, and the work therein and thereby provided shall be completed and open for public service and use on or before four (4) years from the date of the passage of this ordinance.

Section 9. That the physical vacation and actual closing of Chestnut street and Seminary avenue shall not be made until the foot bridges above provided for across the right of way of the said Railroad Company at Chestnut street and Seminary avenue and the viaducts at Locust street and Emerson street and the subway at Division street are installed complete for service, unless the City Council shall hereafter so provide by ordinance.

Section 10. In addition to the consideration of the public safety, this ordinance is passed by the City Council upon the further consideration of the promotion of the general welfare of the City of Bloomington and its inhabitants flowing to it and to them by virtue of the execution and the faithful performance on the part of the Chicago & Alton Railroad Company of all of the covenants, terms and conditions by it proposed to be performed and contained in a draft of a contract dated the.....day

of July, 1910, to be executed by and between the Chicago & Alton Railroad Company, its successors and assigns, the Bloomington Business Men's Association of Bloomington, Illinois, a corporation organized under the laws of the State of Illinois, and the State Trust & Savings Bank of Bloomington, Illinois, as Trustee, for the use and benefit of certain citizens and property owners of the City of Bloomington, and the Chicago & Alton Railroad Company, the names of said citizens and property owners being shown by Exhibit A attached to the draft of the proposed contract and made a part thereof, the said proposed contract being hereto attached and by reference made a part hereof. And should the said Chicago & Alton Railroad Company, its successors or assigns fail substantially to perform the covenants and agreements on its part proposed to be performed, after reasonable written notice and requisition from the City of Bloomington so to do, then the vacation of Chestnut street and Seminary avenue herein provided for shall be terminated; and the City of Bloomington reserves to itself the right under a breach of the contract as aforesaid, to, at any time thereafter, pass an ordinance setting aside the vacation of the street and avenue aforesaid and opening same to public travel the same as though this ordinance had never been passed.

Section 11. This ordinance shall be in full force and effect from and after its passage and approval and an unconditional acceptance in writing of its terms and conditions by the Chicago & Alton Railroad Company for itself, its successors and assigns, and the filing with the City Clerk of the City of Bloomington of one of the original copies of the contract above referred to and marked "Exhibit One," the said contract to be when so filed, duly executed by the Chicago & Alton Railroad Company, the Bloomington Business Men's Association and the State Trust & Savings Bank of Bloomington, Illinois.

Section 12. The acceptance by the Chicago & Alton Railroad Company of the terms and conditions herein set forth shall be (with blanks filled in) as follows:

State of Illinois,	} ss.	GENERAL OFFICES OF CHICAGO & ALTON RAILROAD COMPANY.
Cook County.		

Now comes the Chicago & Alton Railroad Company, a corporation organized under the laws of the State of Illinois, and unconditionally accepts all of the terms and conditions of an ordinance passed by the City Council of the City of Bloomington, Illinois, entitled, "An Ordinance Closing Certain Streets, Providing viaducts, Footways and a Subway Over, Across and Under the Right of Way of the Chicago & Alton Railroad Company in the City of Bloomington, Illinois, and to Promote the Safety and General Welfare of the People," passed by the City Council of Bloomington, on the 1st day of July, 1910, approved by R. L. Carlock, Mayor of the City of Bloomington, on the 2nd day of July, 1910, binding itself, its successors and assigns, unconditionally, to furnish the materials,

perform the work, to pay all sums of money and to do all things, provided for in and by the ordinance aforesaid and the Exhibit attached thereto; expressly agreeing to and accepting the provisions of the ordinance aforesaid, subject to the conditions, agreements, limitations and reservations to the City of Bloomington therein and thereby provided.

IN WITNESS WHEREOF, The Chicago & Alton Railroad Company has caused this instrument to be executed by its proper officers pursuant to a resolution of the Board of Directors of said Company authorizing and directing such execution, for the uses and purposes above set forth, upon this.....day of July, 1910.

CHICAGO & ALTON RAILROAD COMPANY

Attest.....

Secretary

By.....

Section 13. All ordinances and parts of ordinances of the City of Blomington inconsistent with the terms and conditions hereof are, so far as inconsistent or in conflict herewith, hereby repealed.

Approved—R. L. CARLOCK, *Mayor*.

Attest—HARRY E. RHODS, *City Clerk*.

Passed by the City Council of the City of Bloomington, Illinois, this 1st day of July, A. D. 1910.

Approved by the Mayor of the City of Bloomington, Illinois, this 2nd day of July, A. D. 1910.

“EXHIBIT ONE”

THIS AGREEMENT, MADE AND ENTERED INTO THIS,..... THE.....DAY OF JULY, A. D. 1910, BY AND BETWEEN THE CHICAGO & ALTON RAILROAD COMPANY, ITS SUCCESSORS AND ASSIGNS, PARTY OF THE FIRST PART, AND THE BLOOMINGTON BUSINESS MEN’S ASSOCIATION OF BLOOMINGTON, ILLINOIS, A CORPORATION ORGANIZED UNDER THE LAWS OF THE STATE OF ILLINOIS, AND THE STATE TRUST AND SAVINGS BANK OF BLOOMINGTON, ILLINOIS, AS TRUSTEE, FOR THE PURPOSES HEREINAFTER SET FORTH, AND FOR THE USE AND BENEFIT OF CERTAIN CITIZENS AND PROPERTY OWNERS OF THE CITY OF BLOOMINGTON, THE NAMES OF SAID CITIZENS AND PROPERTY OWNERS BEING SHOWN BY “EXHIBIT A” HERETO ATTACHED AND MADE A PART OF HEREOF, PARTY OF THE SECOND PART.

WITNESSETH:—THAT WHEREAS, said party of the first part is a railroad corporation, owning and operating certain lines of railroad running from the City of Bloomington, Illinois, to Kansas City, Missouri, and from said City of Bloomington to the City of St. Louis, Missouri, and from said City of Bloomington to the City of Chicago, Illinois, and other lines connecting with the aforementioned railroad lines; and

WHEREAS, the party of the first part has and operates in said City of Bloomington, Illinois, a large plant known as the Chicago & Alton Railroad Shops, wherein said party of the first part manufactures and repairs locomotive engines, railroad cars, and railroad supplies of various kinds, and thereby gives employment to many men who have made the City of Bloomington and vicinity their places of residence; and

WHEREAS, the said Railroad Shops were built in said City of Bloomington under and by virtue of an agreement entered into in the year 1869, by and between the Chicago & Alton Railroad Company and David Davis, A. Gridley, J. E. McClun and numerous other citizens of said City of Bloomington, under and by virtue of which said citizens of said City of Bloomington, and property owners of said city, agreed to repay to said railroad company the purchase price for certain tracts and parcels of land described in said agreement, which lands were to be used for the construction of said Chicago & Alton Railroad Shops; and

WHEREAS, said agreement was fully carried out by the contracting parties thereto, and the said Railroad Shops have been operated in said City of Bloomington ever since their construction, in pursuance of said agreement; said railroad company, party of the first part, during recent years, having paid out to employes in its shops and motive power and operating departments who reside in and near said City of Bloomington, wages averaging one hundred thousand (\$100,000) dollars per month, and

WHEREAS, said railroad company, party of the first part, desires now, and hereafter, to enlarge said railroad shops and to construct additional buildings adjacent to its present shops, and also desires to build a large round house adjacent to said shops and to install new machinery and new shops, and to construct additional side, storage and work tracks; and,

WHEREAS, it has been represented by said party of the first part, to the citizens and property owners of the City of Bloomington, and to said party of the second part, that certain of said shop extensions are required at the present time, and that the areas and tracts of land particularly described in "Exhibit B" hereto attached, will be needed now and in the future to enlarge said shops, and for the other purposes aforesaid, and that the extensions and enlargements of said shops contemplated at this time would insure the permanent location of said shops at said place, and that the monthly pay roll for wages to employes in and about said shops and grounds, if said shop extensions and enlargements are completed, would increase, under normal business and financial conditions to the extent of approximately forty (40) per cent of the average amount of such pay roll during the past three (3) years; and,

WHEREAS, said party of the first part, having desired the citizens of said City of Bloomington, and the owners of property located therein, to aid and assist in a material and substantial manner, and to the extent of furnishing without cost to said Railroad Company, the said additional areas and tracts of land for use in enlarging the said shop facilities, and in making said improvements, and for the site for a new depot

and office building in said City; and the said citizens of said City of Bloomington and said property owners, relying upon the representations of said party of the first part, and knowing that said extensions, enlargements and improvements, if made, as hereinafter provided, will be of great and lasting benefit to the commercial, industrial and property interests of the citizens of said City of Bloomington, have, by voluntary subscriptions, provided the means by which will be raised a sufficient sum of money to purchase the tracts and areas of lands required by said party of the first part, for its said shop extensions and improvements, and said new depot and office building site, the said citizens and property owners of said City of Bloomington having each subscribed to said fund the sum set opposite their respective names in "Exhibit A" hereto attached; and

WHEREAS, the said Bloomington Business Men's Association has, by resolution of its Board of Directors, selected and appointed the said State Trust & Savings Bank, of Bloomington, Illinois, to act as trustee for the purpose of holding the title to said tracts and areas of land to be purchased from moneys out of the funds subscribed by said citizens and land owners of said City of Bloomington, as aforesaid, and for the purpose of conveying said tracts and areas to said railroad company, as provided in the form of deed hereto attached, marked "Exhibit C," and made a part hereof:

NOW, IN CONSIDERATION OF ALL THE FOREGOING PREMISES, and the mutual promises and obligations herein contained, the parties hereto have AGREED AND COVENANTED, and do HEREBY AGREE AND COVENANT, as follows:

1st. Party of the first part doth hereby re-affirm its contract obligations made in the year 1869 in the aforesaid agreement between the Chicago & Alton Railroad Company and David Davis, A. Gridley, J. E. McClun, and other citizens and property owners of said City of Bloomington, wherein said party of the first part agreed to build and permanently establish, the machine and car shops of said Railroad Company in said City of Bloomington:

2nd. Party of the first part will, on or before one year from the date hereof, construct and complete upon such of said lands as it may select, a new round house, with necessary appurtenances, substantially as provided in the plans and specifications shown upon the blue print prepared by said company and heretofore submitted to said Business Men's Association, which blue print is hereby made a part hereof, and identified, in triplicate, under the date hereof, by the signature of Alonzo Dolan, president of said Association, and of C. H. Ackert, vice-president of said Railroad Company, (one copy of said blue print, so identified, upon the execution hereof, to be deposited, together with one copy of this contract, with the secretary of said Association, and one copy thereof, so identified, and of this contract, to be deposited with George H. Ross, vice-president of said Railroad Company; and one copy thereof, so identified, and of this contract, to be deposited with the City Clerk of said City of Bloomington):

3rd. Party of the first part will, with all reasonable despatch, proceed to construct and complete such new shop and other buildings, and such additions and extensions to its existing shop and other buildings, and such appurtenances thereto, substantially as are shown upon said blue print, and substantially as provided in the plans and specifications, shown upon said blue print; all such new buildings, additions and extensions and appurtenances thereto, to be fully completed on or before four (4) years from the date hereof;

4th. First party will expend in the construction of said new round house, and of said new buildings and of said additions and extensions, and of said appurtenances, the total sum of approximately seven hundred fifty thousand (\$750,000) dollars;

5th. Said party of the first part FURTHER COVENANTS AND AGREES, that its shops now located in said City of Bloomington, together with the extensions and improvements as planned and provided for herein, shall remain permanently located and operated at said point, and that, the same shall be and remain the principal shops of said Railroad Company for the manufacture and repair of locomotives, cars and equipments and appliances thereof and thereto; and that these covenants and obligations are expressly hereby made covenants running with the land which shall be conveyed to said Railroad Company under this contract for use in making said shop extensions and improvements in connection therewith;

6th. Said first party FURTHER AGREES AND COVENANTS that it will, on or before one year from the date hereof, and at a total cost of at least seventy-five thousand (\$75,000) dollars, construct and complete in said City of Bloomington, upon a site to be determined by mutual agreement of first party and the Board of Directors of said Business Men's Association, (which site will be deeded to said Railroad Company in the same manner and upon like conditions as the said other lands herein described), a substantial Passenger Station and General Office Building, of at least three stories, together with tracks and ground lay out thereto, on plans to be prepared by the architects of said Railroad Company, and approved by the Board of Directors of said Bloomington Business Men's Association;

7th. Said party of the first part FURTHER COVENANTS AND AGREES, that in the event any of said Bloomington shops or station buildings shall be destroyed by fire, or by or from any other cause, it will, within a reasonable time, rebuild and re-establish such destroyed shops and buildings, of capacity not less than the buildings and shops destroyed, it being the intention of all the parties hereto that the said railroad shops herein described shall be actively and permanently operated as the main and principal shops of said railroad line, for the manufacture and repair of locomotives, cars, and appliances thereof and thereto;

8th. Said party of the second part AGREES AND COVENANTS with the party of the first part, to furnish, within fifteen (15) days from

the date hereof, abstracts of title, as herein provided, to the area and tracts described in paragraph "Ninth" hereof, and that as soon as plans and specifications are submitted to the Board of Directors of said Bloomington Business Men's Association for additional shop buildings, improvements, and enlargements, and for track lay-outs thereto, upon any of the remaining portions of the area or tracts described in said "Exhibit B," or for said depot and office building, as contemplated by this agreement, that then said Directors of said Business Men's Association will, within Fifteen (15) days thereafter, furnish to the party of the first part, abstracts of title, prepared by competent abstracters, showing good and merchantable title in the present owners, or said Trustee, to the lands required by said plans and specifications for such additional buildings, improvements, etc., and the said Board of Directors of said Association will also cause to be conveyed, as, and at the times, hereinafter set forth, to said party of the first part, the tracts of land required to be used for said additional buildings, extensions and improvements, the said conveyances, in all cases, to be made executed and delivered by the aforesaid Trustee holding the legal title to said tracts of land, by good and sufficient deed of conveyance, and substantially in the form of said "Exhibit C" hereto attached, thereby conveying to said party of the first part fee simple title to the lands required subject, however, to a condition of a defeasance, as set forth in said "Exhibit C."

9th. Said party of the second part FURTHER AGREES AND COVENANTS that the following described area, tracts and parcels of land for use in the construction of said Round House and appurtenances, and lay-out thereto, and such other new buildings, and improvements, as are shown upon said blue print, and which are to be completed within four (4) years from the date hereof, as hereinabove provided, will be ready for conveyance, and will be conveyed to the first party, on or before thirty (30) days from the date hereof: Provided, working plans and specifications of said Round House and appurtenances, and lay-out thereto, are in the meantime submitted to the Board of Directors of said Business Men's Association, to-wit:

Beginning at the intersection of the south line of Perry Street and the Westerly line of the right-of-way of said Chicago & Alton Railroad Company in said City of Bloomington; thence West to the East line of Morris Avenue; thence south along the east line of Morris avenue to the south line of Graham Street; thence east fifty (50) feet; thence in a south-easterly direction to a point on the south line of Lot three (3), in Block sixteen (16), of Perry's Addition to said City, one hundred (100) feet east of the east line of said Morris Avenue; thence east to the east line of the alley along the east side of said block sixteen (16); thence south along the east line of said alley to the north line of Empire street; thence east to a point fifty (50) feet west of the west line of Calhoun street; thence, in a southeasterly direction, to a point in the east line of Poplar street fifty (50) feet south of the northwest corner of Block two (2) of Western Addition to said City; thence south along the east line of said Poplar street to the northwest corner of Lot six (6), in said Block

two (2) of said Western Addition; thence east along the north line of said Lot six (6) to a point fifty (50) feet west of the east line of said Block two (2); thence south and parallel with the east line of said Block two (2) to the north line of West Walnut street; thence east to a point ten (10) feet west of the southeast corner of said Block two (2); thence in a southeasterly direction to the northwest corner of Block one (1), in said Western Addition; thence east along the north line of said Block one (1) ten (10) feet; thence in a southeasterly direction to a point in the south line of said Block (being the north line of West Chestnut street) fifty (50) feet east of the southwest corner of said Block one (1); thence in a southeasterly direction across said West Chestnut street, to a point in the north line of Block fourteen (14) of said Western Addition, fifty (50) feet east of the northwest corner of said Block fourteen (14); thence in a southeasterly direction to a point in the south line of Lot eight (8) of said Block fourteen (14), twenty (20) feet west of the east line of said Block; thence south to the north line of West Locust street; thence east on the north line of West Locust street to the west line of the Chicago & Alton Railroad Company right-of-way, which is fifty (50) feet westerly at right angles from the center line of the south-bound main track; thence following the said westerly right-of-way line of the Chicago & Alton Railroad Company northeasterly to the southline of said West Chestnut street; thence northwesterly to a point one hundred seventy-five (175) feet, more or less, north of the north line of said West Chestnut street, and eighty (80) feet, more or less, east of the east line of Lumber street, to the northeast corner of said Block one (1) of said Western Addition; thence west to the east line of said Lumber street; thence north on the east line of said Lumber street to the north line of said West Walnut street; thence west thirty-three (33) feet, more or less, to the east line of Lumber street; thence north on the east line of Lumber street to the north line of Empire street extended; thence west thirty-three (33) feet, more or less, along the north line of Empire street extended, to the west line of Lumber street; thence north to the north line of said West Graham street; thence northeasterly along said westerly right-of-way line of said railroad to the south line of Perry street, being the point of beginning; and that all other areas and tracts of land included in the description contained in said "Exhibit B," as will be necessary for the construction of such buildings, enlargements, and improvements as may be hereafter planned by party of the first part, for erection or construction thereon, shall be ready for conveyance, and shall be conveyed, to said first party, after reasonable notice by first party to the Directors of said Bloomington Business Men's Association as to the specific tracts required for its use, from time to time, and as the improvements herein specified, and which hereafter may be planned, progress; IT BEING EXPRESSLY UNDERSTOOD, HOWEVER, that in no event shall said lands, or any part thereof, be subject to first party's requisition and use under the aforesaid terms of this contract after the expiration of the period of ten (10) years from the date hereof, unless otherwise hereafter mutually agreed by the parties hereto.

10th. Said second party FURTHER AGREES AND COVENANTS that the land requisite for the construction of said Passenger Depot and Office Building, will be conveyed to party of the first part within thirty (30) days from the date of these presents; PROVIDED, plans and specifications have been submitted to and approved by the Board of Directors of said Business Men's Association prior to the expiration of said period, the location of same meantime, to be mutually agreed upon as hereinbefore provided;

11th. IT IS MUTUALLY AGREED AND UNDERSTOOD, by the parties hereto that should it develop that as to any of said areas or tracts of land, satisfactory terms of purchase cannot be made as between the owners thereof and said Bloomington Business Men's Association, the said Railroad Company will exercise its power to obtain title to any such areas or tracts, by condemnation under the Eminent Domain Laws of the State of Illinois, the costs and expenses of condemnation proceedings, and the amount of all judgments rendered therein in favor of the owners of said lands, to be promptly paid and satisfied by said party of the second part; and IT IS FURTHER MUTUALLY AGREED, that in all cases in which fee simple title to all interests or rights in or to said lands, or any part thereof, cannot be obtained by first party in the manner hereinbefore provided, first party will also prosecute condemnation proceedings, on the same conditions and terms.

IN WITNESS WHEREOF, said the Chicago & Alton Railroad Company has caused this instrument to be executed, in triplicate, by its proper officers, pursuant to resolution of the Board of Directors of said Company, authorizing and directing such execution, and said Bloomington Business Men's Association has also caused this instrument to be executed, in triplicate, by its proper officers, pursuant to resolution of the Board of Directors of said Association authorizing and directing such execution, and the said Trust & Savings Bank has also caused this instrument to be executed, in triplicate, by its proper officers, pursuant to resolution by the Board of Directors of said Bank authorizing and directing such execution, and the acceptance and execution by said Bank of the aforesaid duties and trusts, as of the day and year first above written.

THE CHICAGO & ALTON RAILROAD COMPANY,

Attest: By.....

Secretary.

BLOOMINGTON BUSINESS MEN'S ASSOCIATION,

Attest: By.....

Secretary.

STATE TRUST & SAVINGS BANK,

Attest: By.....

Secretary.

NOTE—The above contract was executed by the several parties thereto on July 5, 1910, and one of the copies so executed was filed with the City Clerk of the City of Bloomington on July 15, 1910.

ACCEPTANCE

GENERAL OFFICES OF CHICAGO & ALTON RAILROAD COMPANY

STATE OF ILLINOIS	} ss.
COOK COUNTY	

Now comes the Chicago & Alton Railroad Company, a corporation organized under the laws of the State of Illinois, and unconditionally accepts all of the terms and conditions of an ordinance passed by the City Council of the City of Bloomington, Illinois, entitled, "An Ordinance Closing Certain Streets, Providing Viaducts, Footways and a Subway Over, Across and Under the Right-of-way of the Chicago & Alton Railroad Company in the City of Bloomington, Illinois, and to Promote the Safety and General Welfare of the People," passed by the City Council of Bloomington, on the 1st day of July, 1910, approved by R. L. Carlock, Mayor of the City of Bloomington, on the 2nd day of July, 1910, binding itself, its successors and assigns, unconditionally, to furnish the materials, perform the work, to pay all sums of money and to do all things, provided for in and by the ordinance aforesaid and the Exhibit attached thereto; expressly agreeing to and accepting the provisions of the ordinance aforesaid, subject to the conditions, agreements, limitations and reservations to the City of Bloomington therein and thereby provided.

IN WITNESS WHEREOF, The Chicago & Alton Railroad Company has caused this instrument to be executed by its proper officers pursuant to a resolution of the Board of Directors of said Company authorizing and directing such execution, for the uses and purposes above set forth, upon this 8th day of July, 1910.

THE CHICAGO & ALTON RAILROAD COMPANY.

By C. H. ACKERT, *Vice-Pres.*

Attest:

H. E. Wood, *Ass't Secretary.***ORDINANCE**

AN ORDINANCE REPEALING AMENDMENT, ADOPTED JUNE 27, 1913, OF SECTIONS SIX (6) AND EIGHT (8) OF AN ORDINANCE, ENTITLED "AN ORDINANCE CLOSING CERTAIN STREETS, PROVIDING VIADUCTS, FOOTWAYS AND A SUBWAY OVER, ACROSS AND UNDER THE RIGHT-OF-WAY OF THE CHICAGO & ALTON RAILROAD COMPANY, IN THE CITY OF BLOOMINGTON, ILLINOIS, AND TO PROMOTE THE SAFETY AND GENERAL WELFARE OF THE PEOPLE," PASSED BY THE CITY COUNCIL ON THE 1ST DAY OF JULY, 1910, AND AMENDING SECTIONS ONE (1), TWO (2), THREE (3), SEVEN (7), EIGHT(8), AND NINE (9), OF SAID ORDINANCE, AND ADDING SECTIONS FOURTEEN, FIFTEEN, SIXTEEN AND SEVENTEEN THERETO.

WHEREAS, by reason of the extensive character of the work done in constructing the shops, buildings and other structures, also tracks and equip-

ment, as provided for in an ordinance, entitled, "An ordinance closing certain streets, providing viaducts, footways and a subway over, across and under the right-of-way of the Chicago & Alton Railroad Company, in the City of Bloomington, Illinois, and to promote the safety and general welfare of the people," passed by the City Council on the 1st day of July, 1910, approved by the Mayor of the City of Bloomington on the 2nd day of July, 1910, it has been found impracticable by the said The Chicago & Alton Railroad Company to complete the construction of said viaducts, footways and subway, all at the same time, and within the period specified by the foregoing ordinance, and in "Exhibit One" thereof; and,

WHEREAS, said The Chicago and Alton Railroad Company has completed the construction of all the buildings, structures, tracks, and other equipment and improvements, described in said "Exhibit One" of said ordinance, and in addition thereto has erected shop buildings and other structures upon the lands described in said "Exhibit One," of a much more expensive and extensive character than required by said ordinance and exhibit thereto, and at a total cost of approximately one half million dollars in excess of the total amount required to be expended by said Railroad Company under the terms of said ordinance and said exhibit thereto; and,

WHEREAS, said The Chicago & Alton Railroad Company proposes to proceed at as early a date in the year 1916 as weather and seasonal conditions will permit, with the construction of the improvements hereinafter set forth, upon Lumber Street, also at the intersection of West Locust Street with the right-of-way of said Railroad Company, and also at the intersection of West Chestnut Street with the right-of-way of said Railroad Company; and to complete all said improvements in the manner and within the time hereinafter set forth; and,

WHEREAS, said The Chicago & Alton Railroad Company proposes to proceed, at as early a date in the year 1917 as weather and seasonable conditions will permit with the construction of the subway beneath its tracks and across its right-of-way at Division Street, in said City, and as provided in Section Five (5) of said ordinance, and also of the improvement at the intersection of Emerson Street (extended) with the right-of-way of said Company, and to complete said improvements within the time and in the manner hereinafter set forth; and,

WHEREAS, it has been found impracticable, in view of the contemplated use of said Railroad Company's lands lying both to the North and South of Seminary Avenue in said City, and to the West of said Railroad Company's right-of-way, to construct and maintain the overhead footway, or viaduct, for pedestrians, as provided for in Section Two (2) of said ordinance; and,

WHEREAS, said The Chicago & Alton Railroad Company proposes to erect additional shops and other buildings and to lay tracks upon that portion of its said lands lying North of and abutting upon Seminary Avenue, which said tracks or some of them, will cross the said Seminary Avenue and connect with other tracks, and also with the shop and other buildings owned by the said Railroad Company and located upon that portion of its said lands lying South of and abutting said Seminary Avenue; and,

WHEREAS, the said proposed utilization by said Railroad Company of the said portion of Seminary Avenue will render impracticable the use of the same by the traveling public, from a point substantially coincident with a line 127 feet West of the intersection of Ewing Street with said Seminary Avenue and from thence to the East line of the right-of-way of said Railroad Company, which use and condition will make necessary the extension or diversion of the said Seminary Avenue from the said intersection in a North-easterly direction, along and over lands belonging to the said Railroad Company, to the West line of said Company's right-of-way, and to a point at which such extension of Seminary Avenue will connect with the West end of the viaduct which is to be erected by the Railroad Company at the intersection of said Emerson Street (extended) with said Railroad Company's right-of-way; and,

WHEREAS, the said The Chicago & Alton Railroad Company in consideration of the premises, and more especially in consideration of the said proposed use by said Railroad Company of the aforesaid portion of said Seminary Avenue, and also the release of its obligation or undertaking to erect and maintain an overhead footway, or viaduct, for pedestrians, at the intersection of said Seminary Avenue with said Railroad Company's right-of-way, as provided in Section Two (2) of said ordinance, has agreed to donate and to open for public use as a street or highway, upon the completion of said Emerson Street viaduct, a strip of land Fifty (50) feet in width as and for said extension of Seminary Avenue, and substantially along the route shown in dotted, or broken, lines upon the plat entitled, "Chicago & Alton Railroad Plan showing proposed diversion of Seminary Avenue, Bloomington, Illinois, Assistant Engineer's Office, December, 1915, Bloomington, Illinois, Revised February 24, 1916," numbered 10410, and identified by the signature of E. E. Jones, Mayor, and also by the signature of H. T. Douglass, Jr., Chief Engineer of said Railroad Company, now on file in the office of the City Clerk of said City of Bloomington, and by reference made part hereof, the said Railroad Company to construct, in accordance with said City's Standard Specifications, a cement sidewalk five feet in width along the North side of said extension of said Seminary Avenue.

Now, Therefore, Be It Ordained by the Council of the City of Bloomington:

Section 1. That the ordinance passed and adopted by the City Council of the City of Bloomington on the 27th day of June, 1913, approved by the Mayor of said City on the 28th day of June, 1913, amending Sections numbered Six (6) and Eight (8) of an ordinance entitled, "An ordinance closing certain streets, providing viaducts, footways and a subway over, across and under the right-of-way of the Chicago & Alton Railroad Company, in the City of Bloomington, Illinois, and to promote the safety and general welfare of the people," passed by the City Council on the 1st day of July, 1910, approved by the Mayor of the City of Bloomington on the 2nd day of July, 1910, be, and the same hereby is, repealed.

Section 2. That Sections numbered One (1), Two (2), Three (3), Seven (7), Eight (8) and Nine (9) of said ordinance, entitled "An ordi-

nance closing certain streets, providing viaducts, footways and a subway over, across and under the right-of-way of The Chicago & Alton Railroad Company, in the City of Bloomington, Illinois, and to promote the safety and general welfare of the people," passed by the City Council on the 1st day of July, 1910, approved by the Mayor of the City of Bloomington, on the 2nd day of July, 1910, be, and the same hereby are, amended to read as follows:

Section 1. That that portion of West Chestnut street in the City of Bloomington, lying between the east line of the right-of-way of the Chicago & Alton Railroad Company and a point fifty (50) feet east of the east line of Lumber street, said point being coincident with the west line of the right-of-way of said railroad company, be, and the same hereby is, vacated, *Provided*, that said the Chicago & Alton Railroad Company shall construct and maintain, and by the acceptance of this ordinance it agrees to construct, and maintain a subway for pedestrians, and to properly ventilate the same, which said subway shall extend from the east line of its said right-of-way to the west line thereof, at said West Chestnut Street intersection, which said subway shall be ten (10) feet in width in the clear, and with head room of at least seven (7) feet and six (6) inches, the center line thereof to coincide with the center line of said West Chestnut street; said subway to be constructed in substantial compliance with the plans and specifications thereof, shown upon the blueprint thereof prepared by said railroad company, entitled, "Chicago & Alton Railroad sketch of proposed subway for Chestnut street, Bloomington, Illinois, Office of Chief Engineer, Chicago, Illinois, January, 1915," said blueprint being identified by the signature of H. T. Douglass, Jr., Chief Engineer of said railroad company, and also by the signature of E. E. Jones, Mayor of said City of Bloomington, now on file in the office of the City Clerk of said City, and made a part hereof by reference; said subway to be properly drained and lighted at all times by the said railroad company.

Section 2. That that portion of Seminary avenue in the City of Bloomington, lying between the east and west lines of the right-of-way of said the Chicago & Alton Railroad Company be, and the same hereby is, vacated.

Section 3. That said The Chicago & Alton Railroad Company shall remove the viaduct which it is now maintaining over its right-of-way at the intersection of West Locust street in the City of Bloomington, and shall replace same with a new viaduct, with through girders between the abutments, and without any intervening pillars or supports, which said viaduct shall furnish the public with a roadway twenty-eight (28) feet in width in the clear; and on each side of said roadway, and as a part of said viaduct, the said railroad company shall construct and maintain safe and suitable foot passages or sidewalks for pedestrians, which shall be six (6) feet in width in the clear. The said viaduct shall be constructed at such height above the rails of said railroad company as to give headroom of at least twenty-one (21) feet from the top of said rails as now laid down upon the

right-of-way of said railroad company at said point. Said viaduct shall be constructed and maintained in substantial compliance with the plans and specifications therefor, and shown upon the blueprints made by said railroad company, entitled, "Chicago & Alton Railroad Bridge No. 1262, Locust Street Viaduct, Bloomington, Illinois, General Plan," and "Chicago & Alton Railroad Locust Street Viaduct Bridge No. 1262, Bloomington, Illinois, General Steel Plan," respectively, and numbered 10423 and 10427, respectively, and identified by the signature of H. T. Douglass, Jr., Chief Engineer of said Railroad Company, also by the signature of E. E. Jones, Mayor of the said City of Bloomington, now on file in the office of the City Clerk of said City, and made a part hereof by way of reference.

Section 7. In consideration of the full performance of all the things herein provided to be done by the said The Chicago & Alton Railroad Company, the City of Bloomington agrees to provide suitable approaches up to the right-of-way of said railroad company and upon each side thereof, for the said viaduct at Locust street; and the said City of Bloomington also agrees, for and upon the same consideration, to provide a suitable approach up to the east line of the right-of-way of said railroad company on Emerson street (extended); and the said City of Bloomington, in and for the said consideration also agrees to provide suitable approaches to the east and west lines, or sides, respectively, of the right-of-way of said railroad company, and upon each side thereof, to the subway at Division street, which said subway is provided for in Section Five (5) of this ordinance; and the said City, in and for said consideration, also agrees to pay the costs and expenses, including all damages, if any, to the abutting property or the owners thereof, on account of the construction and maintenance of said approaches, out of a fund to be hereafter created by the said City of Bloomington for that purpose. All work herein provided to be done by the City of Bloomington shall be done at the time of the construction of said viaducts and subways, and in such manner as to properly facilitate the work which is to be done by the said railroad company; it being expressly understood that at the time of the construction of the pavement on Lumber street, as provided in Section Six (6) of this ordinance, and the installation of the new viaduct at Locust street, the said City shall pave at its own expense the intersection of Lumber and Locust streets, and the roadway on Locust street from the intersection aforesaid to the west line of the right-of-way of said railroad company on Locust street. The said railroad company agrees that it will deliver the dirt excavated in the subway at Chestnut street, at the approaches of the Locust street viaduct, for use by the said City in said approaches, and further agrees that it will deliver the dirt excavated in the subway at Division street at the east approach to the viaduct at Emerson street, to be used by said City in said approach.

Section 8. The plans and specifications for the viaducts at Locust street and Emerson street, and for the subways at Chestnut street and Division street, across the right-of-way of The Chicago & Alton Railroad Company, above referred to, as shown by the blueprints thereof, now on file in the

office of the City Clerk of the City of Bloomington, are hereby approved, except the viaduct at Emerson street shall be so placed as that the center line thereof shall coincide with the center line of Emerson street (extended), instead of at right angles to the right-of-way of said railroad company, and the work therein and thereby provided upon said Locust street viaduct, and upon said subway for pedestrians at Chestnut street, shall be completed, and the said structures opened for public service and use, on or before the 15th day of November, 1916; and the work as provided by said blue-print of said viaduct at Emerson street shall be completed, and the structure opened for public service and use, on or before the 15th day of September, A. D., 1917; and the work as provided by said blueprint of the said subway at Division street shall be completed, and the structure opened for public service and use, on or before the 15th day of November, A. D., 1917, while the work contemplated and required to be done by said railroad company in the paving of Lumber street, between Chestnut street and Locust street, as provided in Section 6 of this ordinance, shall be done and completed, ready for public use and service, on or before the 15th day of October, A. D., 1916.

Section 9. The physical vacation and actual closing of Chestnut street at the intersection of said street with the right-of-way of said railroad company, shall not be made until the aforesaid subway for pedestrians across the right-of-way of said railroad company at said Chestnut street, and the said new viaduct at Locust street, and the paving of Lumber street, between Chestnut street and Locust street, shall have been completed and opened for use by the public; and the physical vacation and actual closing of Seminary Avenue at the intersection of said avenue with the right-of-way of said railroad company shall not be made until the aforesaid subway at Division street and the said viaduct at Emerson street (extended) shall have been completed and opened for use by the public.

Section 14. All City water mains included within the area of any streets occupied by said The Chicago & Alton Railroad Company shall continue to be the property of the City of Bloomington, and the said City shall always have the right to enter said territory for the purpose of maintaining and repairing said water mains. In the event that said The Chicago & Alton Railroad Company shall desire to use water from any of the hydrants connecting with such water mains, for any purpose other than fire protection, meters shall be attached to said hydrants, and all water so used by said railroad company shall be paid for at the regular contract, or ordinance rate.

Section 15. The said The Chicago & Alton Railroad Company shall construct a suitable concrete or stone retaining wall, and barrier or railing on top of said wall, along that portion of Seminary avenue occupied by the said railroad company, west of a line coincident with the west line of the alley running north and south between Ewing street and Calhoun street. Said Company shall also provide adequate drainage for that portion of Seminary avenue lying between the said west line of the said alley and the west line of the right-of-way of said railroad company, so long as said portion of

said street is used as a public highway, provision for said drainage to be made within thirty days from the passage of this ordinance.

Section 16. The acceptance by the Chicago & Alton Railroad Company of the terms and conditions of this ordinance as amended (with blanks filled in) shall be as follows:

GENERAL OFFICES OF THE CHICAGO & ALTON RAILROAD COMPANY.

STATE OF ILLINOIS, }
COUNTY OF COOK. } SS.

Now comes The Chicago & Alton Railroad Company, a corporation organized under the laws of the State of Illinois, and accepts all the terms and conditions of an ordinance passed by the City Council of Bloomington on the day of April, A. D., 1916, approved by E. E. Jones, Mayor of the City of Bloomington, on the day of April, A. D., 1916, and entitled, "An Ordinance repealing amendment adopted June 27, 1913, of Sections Six (6) and Eight (8) of an ordinance entitled. 'An ordinance closing certain streets, providing viaducts, footways and a subway over, across and under the right-of-way of The Chicago & Alton Railroad Company, in the City of Bloomington, Illinois, and to promote the safety and general welfare of the people,' passed by the City Council on the 1st day of July, 1910, and amending Sections One (1), Two(2), Three (3), Seven (7), Eight (8) and Nine (9) of said ordinance, and adding Sections Fourteen, Fifteen, Sixteen and Seventeen thereto;" and the said The Chicago & Alton Railroad Company hereby binds itself, its successors and assigns, unconditionally to furnish the materials, perform the work, to pay all sums of money and to do all things provided for in and by the amended ordinance aforesaid, and the Exhibits which by its terms are made part thereof; expressly agreeing to and accepting the provisions of the said ordinance as amended, subject to the conditions, agreements, limitations and reservations to the said City of Bloomington therein and thereby provided.

In Witness Whereof, The Chicago & Alton Railroad Company has caused this instrument to be executed by its proper officers, thereunto duly and lawfully authorized, for the uses and purposes above set forth, upon this day of April, A. D., 1916.

THE CHICAGO & ALTON RAILROAD COMPANY,

By.....

Its

Attest:

.....

Secretary.

Section 17. This ordinance is declared to be urgent and necessary for the immediate preservation of the public peace, health and safety, and shall therefore take effect and be in full force from and after its passage and ap-

proval and the acceptance in writing of its terms and conditions by The Chicago & Alton Railroad Company as hereinbefore provided.

E. E. JONES, *Mayor*.

Attest:

FRED R. EVANS, *City Clerk*.

Passed by the Council of the City of Bloomington, Illinois, this 28th day of April, A. D., 1916.

Approved by the Mayor of the City of Bloomington, Illinois, this 28th day of April, A. D., 1916.

ACCEPTANCE

GENERAL OFFICES OF THE CHICAGO & ALTON RAILROAD COMPANY.

STATE OF ILLINOIS, }
COUNTY OF COOK. } SS.

Now comes The Chicago & Alton Railroad Company, a corporation organized under the laws of the State of Illinois, and accepts all the terms and conditions of an ordinance passed by the City Council of Bloomington on the 28th day of April, A. D., 1916, approved by E. E. Jones, Mayor of the City of Bloomington, on the 28th day of April A. D., 1916, and entitled, "An Ordinance repealing amendment adopted June 27, 1913, of Sections Six (6) and Eight (8) of an ordinance entitled, 'An ordinance closing certain streets, providing viaducts, footways and a subway over, across and under the right-of-way of The Chicago & Alton Railroad Company, in the City of Bloomington, Illinois, and to promote the safety and general welfare of the people,' passed by the City Council on the 1st day of July, 1910, and amending Sections One (1), Two (2), Three (3), Seven (7), Eight (8) and Nine (9) of said ordinance, and adding Sections Fourteen, Fifteen, Sixteen and Seventeen thereto;" and the said The Chicago & Alton Railroad Company hereby binds itself, its successors and assigns, unconditionally to furnish the materials, perform the work, to pay all sums of money and to do all things provided for in and by the amended ordinance aforesaid, and the Exhibits which by its terms are made part thereof; expressly agreeing to and accepting the provisions of the said ordinance as amended, subject to the conditions, agreements, limitations and reservations to the said City of Bloomington therein and thereby provided.

IN WITNESS WHEREOF, The Chicago & Alton Railroad Company has caused this instrument to be executed by its proper officers, thereunto duly and lawfully authorized, for the uses and purposes above set forth, upon this 1st day of May, A. D., 1916.

THE CHICAGO & ALTON RAILROAD COMPANY.

By W. G. BEIRD, *Its President*.

Attest:

H. E. R. WOOD, *Asst. Secretary*.

ORDINANCE

AN ORDINANCE AMENDING SEC. 8 OF AN ORDINANCE ENTITLED "AN ORDINANCE CLOSING CERTAIN STREETS, PROVIDING VIADUCTS, FOOT-WAYS AND SUBWAYS OVER, ACROSS AND UNDER THE RIGHT-OF-WAY OF THE CHICAGO & ALTON RAILROAD COMPANY, IN THE CITY OF BLOOMINGTON, ILLINOIS, AND TO PROMOTE THE SAFETY AND GENERAL WELFARE OF THE PEOPLE," PASSED BY THE CITY COUNCIL ON THE 1ST DAY OF JULY, 1910, AND AMENDED BY AN ORDINANCE ADOPTED BY THE COUNCIL OF THE CITY OF BLOOMINGTON ON THE 28TH DAY OF APRIL, 1916.

Be it Ordained by the Council of the City of Bloomington:

Section 1. That Section 8 of an ordinance entitled "An Ordinance closing certain streets, providing viaducts, foot-ways and subways over, across and under the right-of-way of the Chicago & Alton Railroad Company, in the City of Bloomington, Illinois, and to promote the safety and general welfare of the people," passed by the City Council on the 1st day of July, 1910, and amended by an ordinance adopted by the Council of the City of Bloomington on the 28th day of April, 1916, be, and the same hereby is, amended to read as follows:

"Section 8. The plans and specifications for the viaducts at Locust Street and Emerson Street, and for the subways at Chestnut Street and Division Street, across the right-of-way of The Chicago & Alton Railroad Company, above referred to, as shown by the blue prints thereof, now on file in the office of the City Clerk of the City of Bloomington, are hereby approved, except the viaduct at Emerson Street shall be so placed as that the center line thereof shall coincide with the center line of Emerson Street (extended), instead of at right angles to the right-of-way of said Railroad Company, and the work therein and thereby provided upon said Locust Street viaduct, and upon said subway for pedestrians at Chestnut Street, shall be completed, and the said structures opened for public service and use, on or before the 15th day of November, 1916; and the work as provided by said blue print of said viaduct at Emerson Street shall be completed, and the structure opened for public service and use, on or before the 15th day of September, A. D. 1918; and the work as provided by said blue print of the said subway at Division Street shall be completed, and the structure opened for public service and use, on or before the 15th day of November, A. D. 1918, while the work contemplated and required to be done by said Railroad Company in the paving of Lumber Street, between Chestnut Street and Locust Street, as provided in Section 6 of this Ordinance, shall be done and completed, ready for public use and service, on or before the 15th day of October, A. D. 1918."

Section 2. The acceptance of the Chicago & Alton Railroad Company of the terms and conditions of said Section as amended (with blanks filled in), shall be as follows:

“GENERAL OFFICE OF THE CHICAGO & ALTON
RAILROAD COMPANY.

STATE OF ILLINOIS }
COUNTY OF COOK }

“Now comes The Chicago & Alton Railroad Company, a corporation organized under the laws of the State of Illinois, and accepts all the terms and conditions of Section 8 of an ordinance entitled ‘An Ordinance amending Section 8 of an ordinance entitled “An ordinance closing certain streets, providing viaducts, foot-ways and subways over, across and under the right-of-way of the Chicago & Alton Railroad Company, in the City of Bloomington, Illinois, and to promote the safety and general welfare of the people” passed by the City Council on the first day of July, 1910, and amended by an ordinance adopted by the Council of the City of Bloomington on the 28th day of April, 1916,’ as amended by an ordinance passed and adopted by the Council of the City of Bloomington on the 3rd day of August, A. D. 1917, and approved by E. E. Jones, Mayor of the City of Bloomington, on the 3rd day of August, A. D. 1917; and said The Chicago & Alton Railroad Company hereby binds itself, its successors and assigns, unconditionally to furnish the material, perform the work and pay all sums of money, and do all things provided for in and by the said amended section of said ordinance in connection with the construction of a viaduct across said Company’s right-of-way at the intersection with Emerson Street (extended), a subway on Division Street and pavement on Lumber Street, within the time provided and required by said section of said ordinance as amended.

“In Witness Whereof, The Chicago & Alton Railroad Company has caused this instrument to be executed by its proper officials thereunto duly and lawfully authorized, for the uses and purposes above set forth, upon this.....day of August, A. D. 1917.

THE CHICAGO & ALTON RAILROAD COMPANY.

By
Its.....

Attest:.....
Secretary.”

Attest: E. E. JONES, *Mayor*.
H. J. WILSON, *City Clerk*.

Passed by the Council of the City of Bloomington, this 3rd day of August, A. D. 1917.

Approved by the Mayor of the City of Bloomington, this 3rd day of August, A. D. 1917.

ACCEPTANCE**“GENERAL OFFICE OF THE CHICAGO & ALTON
RAILROAD COMPANY.**

STATE OF ILLINOIS }
COUNTY OF COOK }

“Now comes the Chicago & Alton Railroad Company, a corporation organized under the laws of the State of Illinois, and accepts all the terms and conditions of Section 8 of an ordinance entitled ‘An Ordinance amending Section 8 of an ordinance entitled “An ordinance closing certain streets, providing viaducts, foot-ways and subways over, across and under the right-of-way of The Chicago & Alton Railroad Company, in the City of Bloomington, Illinois, and to promote the safety and general welfare of the people”’ passed by the City Council on the 1st day of July, 1910, and amended by an ordinance adopted by the Council of the City of Bloomington on the 3rd of August, 1917, and approved by E. E. Jones, Mayor of the City of Bloomington, on the 3rd day of August, A. D. 1917; and said The Chicago & Alton Railroad Company hereby binds itself, its successors and assigns, unconditionally to furnish the material, perform the work and pay all sums of money, and do all things provided for in and by the said amended section of said ordinance in connection with the construction of a viaduct across said Company’s right of way at the intersection with Emerson Street (extended), a subway on Division Street and pavement on Lumber Street, within the time provided and required by said Section of said ordinance as amended.

“In Witness Whereof, The Chicago & Alton Railroad Company has caused this instrument to be executed by its proper officials thereunto duly and lawfully authorized, for the uses and purposes above set forth, upon this 15th day of August, A. D. 1917.

THE CHICAGO & ALTON RAILROAD COMPANY.

By W. G. BEIRD,

Its President.

Attest:

H. E. R. WOOD, *Assistant Secretary.*”

ORDINANCES RELATING TO THE INSTALLATION OF ORNAMENTAL STREET LIGHTS

ORDINANCE

AN ORDINANCE GRANTING TO THE BLOOMINGTON BUSINESS MEN’S ASSOCIATION THE RIGHT TO INSTALL A LIGHTING SYSTEM ON MAIN STREET, FROM JEFFERSON STREET TO MULBERRY STREET, IN THE CITY OF BLOOMINGTON.

Be it Ordained by the City Council of the City of Bloomington:

Section 1. The Bloomington Business Men’s Association, a corporation organized under the laws of the State of Illinois, is hereby granted

the right and privilege of installing a lighting system on Main Street, from Jefferson Street to Mulberry Street, in said city, according to the plans and specifications therefor on file in the office of the City Clerk of said city.

Section 2. The said lighting system shall be installed under the direction and supervision of the Superintendent of Water and Light of the said city, and in accordance with the plans and specifications now on file in the office of the City Clerk and with the terms of an ordinance passed by the City Council of the City of Bloomington, on the 21st day of January, 1910, and approved the 22nd day of January, 1910, entitled, "An Ordinance amending Article VII of Chapter IX of the Revised Ordinances of the City of Bloomington, entitled, 'City Electrician and Electrical Work.' " And when said system is completely installed as herein provided, it shall be turned over and become the property of the City of Bloomington, free and clear of any charge of any kind or character to said city.

Section 3. The City of Bloomington hereby agrees that upon the acceptance of this ordinance by the Bloomington Business Men's Association and the installation of the said system according to the terms of this ordinance, to provide a primary circuit connecting said system with its electric lighting plant and to furnish the current to operate the said system, and to maintain, repair and operate the same. The city shall also furnish the necessary transformer or transformers for connecting the said system with its present lighting plant.

Section 4. Any person hitching any horse to the ornamental posts of the said proposed system shall be liable to a penalty of not less than one dollar nor more than twenty-five dollars upon the conviction thereof.

Section 5. The Bloomington Business Men's Association shall file a written acceptance of the provisions of this ordinance with the City Clerk of said City within thirty (30) days after the passage, approval and publication hereof, signed by its proper officers, accepting unconditionally the terms hereof.

Section 6. This ordinance shall be in full force and effect from and after its passage, approval and due publication.

Approved:

Attest:

R. L. CARLOCK, *Mayor*.

HARRY E. RHODES, *City Clerk*.

Passed by the City Council of the City of Bloomington, Illinois, this 11th day of November, A. D. 1910.

Approved by the Mayor of the City of Bloomington, Illinois, this 12th day of November, A. D. 1910.

ACCEPTANCE

To the Honorable, the Mayor and the City Council of the City of Bloomington:

Gentlemen: On Friday, November the 11th, 1910, your honorable body passed the following ordinance:

(The above ordinance set out in full.)

We hereby agree to accept the conditions of the ordinance and also desire to inform you that the contract for the lighting standards and for the installation of the work has been let, the work on the same to begin within fourteen (14) days.

Yours very truly,

Attest:

ALONZO DOLAN, *President.*

WM. SCHMIDT, *Secretary.*

BLOOMINGTON BUSINESS MEN'S ASSOCIATION.

ORDINANCE

AN ORDINANCE GRANTING TO CERTAIN BUSINESS MEN AND PROPERTY OWNERS THE RIGHT TO INSTALL ORNAMENTAL ELECTRIC LIGHT POLES FOR AN ELECTRIC LIGHTING SYSTEM ON MAIN STREET BETWEEN FRONT AND WASHINGTON STREETS, AND ON MAIN STREET BETWEEN LOCUST AND CHESTNUT STREETS, AND ON CHESTNUT STREET BETWEEN MAIN AND CENTER STREETS, AND ON FRONT STREET BETWEEN MAIN AND EAST STREETS, AND ON FRONT STREET BETWEEN MAIN AND CENTER STREETS, AND ON CENTER STREET BETWEEN WASHINGTON STREET AND GROVE STREET, AND AROUND THE COURT HOUSE SQUARE ON BOTH SIDES OF THE STREET AND ON MADISON STREET BETWEEN JEFFERSON AND WASHINGTON STREETS.

Be it Ordained by the City Council of the City of Bloomington:

Section 1. That the following named persons, firms and corporations are hereby granted the permission and privilege of erecting, installing and equipping ornamental electric light poles for electric lighting systems, in the locations and on the streets in the city of Bloomington, as herein designated and provided, as follows:

To Seibel Bros., J. W. Rogers Shoe Co., A. E. Moberly, George Koch, C. M. Harlan, I. Dunn, Sig Heldman & Son, McLean-Moore Shoe Co., Deschler Cigar Co., First National Bank, Illinois Savings & Trust Co., Theodore Moratz, John Feicht and Ike Livingston & Sons, to erect and install five such poles on the east side of Main street, and five such poles on the west side of Main street, between Washington street and Front street.

To Rev. M. Weldon, to erect and install four such poles on the west side of Main street, between Locust and Chestnut streets and one pole on Chestnut street between Main and Center streets.

To H. S. McCurdy, Zier Bros., J. G. Gesell, Ezra Hinshaw, Mandel & Schwarzman, Chas. W. Woizeski, H. D. Ulbrich, J. W. Rogers, W. H. Welch and Miller Bros., to erect and install three such poles on each side of Front street between Main and Center streets.

To Walter Armbruster, Ike Friedman, John Moebus, C. A. Fenn, W. A. Gerken Bakery Co., Fred Schuler, NuPlan Gro., Campbell Holton Co., Gus Edborg, H. O. Stone, W. A. Bringham, and W. F. Young, to erect and install four such poles on each side of Front street between Main street and East street.

To W. T. Shorthose, Oscar Mandel, and C. D. Phillos, to erect and install ten such poles on each side of Center street between Washington street and Grove street.

To G. A. Ensenberger, E. C. George, C. D. Phillos, A. W. Kitchell, W. Griesheim & Sons, Ed T. Fahey, G. H. Read & Bros., McLean County Bank, Will Homuth Jewelry Co., A. Livingston & Sons, Bunnell Bros., F. A. De-wenter, Peter Frisch, Read & White, H. Capen & Sons, D. C. Herrick Co., C. D. Twaddle, C. W. Klemm, Corn Belt Bank and L. Newman to erect and install eighteen such poles around the Court House square being four poles on the north side of Jefferson street; four poles on the south side of Washington street; five poles on the west side of Center street and five poles on the east side of Main street.

To "The Pantagraph," a corporation, the Bloomington & Normal Railway & Light Company, T. A. Braley and J. F. O'Donnell, doing business as Braley & O'Donnell, to erect and install four such poles on the west side of Madison street between Jefferson street and Washington street, and one light on the north side of Washington street between Madison street and Roosevelt avenue.

To the Board of Supervisors of McLean County, Illinois, by its Committee on Buildings and Grounds to erect and install twelve such poles around the McLean County Court House, being four on the west side of Main street; four on the east side of Center street; two on the south side of Jefferson street and two on the north side of Washington street, provided, that the eight electric light poles or standards, now erected on the steps of the McLean County Court House, being two on each side of said Court House, shall be and shall be taken to be part of said lighting system, herein provided to be installed by said McLean County, and shall be taken over by said city and operated as part of said lighting system, as herein provided as to the other lighting systems, herein provided to be installed.

Section 2. That the foregoing ornamental electric light poles shall be of the City's pattern, carrying five Tungsten electric lights, with globes, four lights on crossarms and one light on top extension of pole, lights to be of candle power, designated by the City, and globes to be of City's pattern.

Section 3. That the above poles provided to be erected and installed, shall be erected, installed and located as designated in red, on a plat or blue print, numbered "101a," on file in the office of the City Clerk, of the city of Bloomington, and such poles shall be erected and installed under the direction and supervision of the Superintendent of Water & Light, and City Electrician, and shall be in compliance with and conform to an ordinance passed on the 21st day of January, 1910, approved the 22nd day of January, 1910, entitled, " An Ordinance amending Article 7 of Chapter 9 of the Revised Ordinances of the City of Bloomington, entitled "City Electrician and Electrical Work."

Section 4. That when the said poles and the several electrical lighting systems herein provided to be erected and installed, shall be completely erected, installed and equipped, as herein provided, the said several poles and electric lighting systems, shall become the property of the City of Bloomington, free and clear of any and all charges or liens of any kind or character and shall thenceforth be under the sole control, management and ownership of the City of Bloomington.

Section 5. That upon the installation and equipment, in readiness to be connected to the City's electric light plant, of said poles and lighting systems, herein provided for, in accordance with the terms of this ordinance, and the acceptance in writing of the terms of this ordinance by the several persons, firms and corporations herein granted permission to erect and install such poles and lighting systems, the City of Bloomington shall provide the necessary primary circuit and transformer or transformers connecting said poles and lighting systems, with the City Electric Light Plant, and the City of Bloomington shall thereafter furnish the necessary current to light and operate said lighting systems, and shall maintain and operate the same as part of the electric lighting system of the City of Bloomington. The city using electric lamps of such kind and candle power, as in the judgment of the City Electrician, conditions may require.

Section 6. That the several persons, firms and corporations herein granted permission to erect and install said poles and electric light systems, shall file with the City Clerk of the City of Bloomington their acceptance in writing, unconditionally accepting the terms and provisions of this ordinance, within ten days after the passage and approval thereof.

Section 7. Any person hitching any horse, to or attaching any sign, wires, braces or other attachment whatever to the electric light poles herein provided to be erected and installed or any other electric light poles of the City's pattern, heretofore or hereafter erected and installed, shall be liable to a penalty of not less than three (\$3.00) dollars, nor more than twenty-five (\$25) dollars, for each offense.

Section 8. This ordinance shall be in full force and effect from and after its passage and approval and due publication.

Approved:

A. L. MOORE, *Mayor*.

Attest:

HARRY E. RHODES, *City Clerk*.

Passed by the City Council of the City of Bloomington, Illinois, this 17th day of November, A. D. 1911.

Approved by the Mayor of the City of Bloomington, Illinois, this 18th day of November, A. D. 1911.

ACCEPTANCE

Whereas on November 17, 1911, the City Council of the City of Bloomington, passed an ordinance which was approved on the 18th day of November, 1911, granting to the Board of Supervisors of McLean County, Illinois, and to other persons, the right to install electric light poles around the court house, and providing that the lights now installed on the steps of the court house, should become part of the system installed, a certified copy of which ordinance is hereto attached and made a part hereof.

Therefore the Board of Supervisors of McLean County, Illinois, hereby accepts the terms and conditions of said ordinance. This acceptance to be in full force and effect as soon as said lighting system is fully installed, and connected to the electric light plant of the City of Bloomington.

THOS. D. IRISH,

Chairman of the Public Buildings Committee.

ORDINANCE

AN ORDINANCE GRANTING TO CERTAIN BUSINESS MEN AND THE BIG FOUR AND LAKE ERIE & WESTERN RAILROADS THE RIGHT TO INSTALL ORNAMENTAL ELECTRIC LIGHT POLES FOR AN ELECTRIC LIGHTING SYSTEM ON MAIN STREET BETWEEN FRONT STREET AND THE L. E. & W. R. R. TRACK, AND ON CENTER STREET FROM GROVE STREET TO THE RAILROAD TRACKS.

Be it Ordained by the City Council of the City of Bloomington:

Section 1. That the following named persons, and corporations are hereby granted the permission and privilege of erecting, installing and equipping ornamental electric light poles for electric lighting systems, in the locations and on the streets in the City of Bloomington, as herein designated and provided, as follows:

To John A. Beck, Frank Oberkoetter, C. C. Martens, Frank Supple and property owners represented by them, to erect and install fifteen (15) such poles on the east side of Main street and fifteen (15) such

poles on the west side of Main street, between Front street and the L. E. & W. Railroad tracks.

To Robert R. Johnson, Chas. F. J. Agle and the other property owners represented by them, to erect and install nine (9) such poles on the east side of Center street and nine (9) such poles on the west side of Center street between Grove street and the L. E. & W. railroad tracks.

To C. C. Bowman to erect and install two (2) such poles on the west side of Center street between the Peoria & Eastern tracks and Mill street.

To C. C. C. & St. L. R. R. Company and the L. E. & W. R. R. Company to erect and install two (2) such poles on the east side of Main street and two such poles on the west side of Main street, where their tracks cross Main street and to erect and install two (2) such poles, one on either side of Center street where the tracks of said companies cross Center street

Section 2. That the foregoing ornamental electric light poles shall be of the City's pattern, carrying five Tungsten electric lights, with globes, four lights on the crossarms and one light on top extension of pole, lights to be of candle power designated by the City, and globes to be of City's pattern.

Section 3. That the above poles provided to be erected and installed, shall be erected, installed and located as designated in red, on a plat or blue print numbered "101a," on file in the office of the City Clerk of the City of Bloomington, and such poles shall be erected and installed under the direction and supervision of the Superintendent of Water & Light, and City Electrician, and shall be in compliance with and conform to an ordinance passed on the 21st day of January, 1910, approved the 22nd day of January, 1910, entitled, "An Ordinance amending Article 7 of Chapter 9 of the Revised Ordinances of the City of Bloomington, entitled "City Electrician and Electrical Work."

Section 4. That when the said poles and the several electrical lighting systems herein provided to be erected and installed, shall be completely erected, installed and equipped as herein provided, the said several poles and electric lighting systems shall become the property of the City of Bloomington, free and clear of any and all charges of liens of any kind or character and shall thenceforth be under the sole control, management and ownership of the City of Bloomington.

Section 5. That upon the installation, equipment, in readiness to be connected to the City's electric light plant, of said poles and lighting systems, herein provided for, in accordance with the terms of this ordinance and the acceptance in writing of the terms of this ordinance by the several persons, firms and corporations, herein granted permission to erect and install such poles and lighting systems, the City of Bloomington shall provide the necessary primary circuit and transformer or transformers connecting said poles and lighting systems with the City Electric Light Plant, and the City of Bloomington shall thereafter furnish the necessary

current to light and operate said lighting systems and shall maintain and operate the same as a part of the electric lighting system of the City of Bloomington. The City using electric lamps of such kind and candle power, as in the judgment of the City Electrician, conditions may require.

Section 6. That the several persons, firms and corporations herein granted permission to erect and install said poles and electric light systems, shall file with the City Clerk of the City of Bloomington their acceptance in writing unconditionally accepting the terms and provisions of this ordinance, within ten days after the passage and approval thereof.

Section 7. Any person hitching any horse to or attaching any signs, wires, braces or other attachment whatever to the electric light poles herein provided to be erected and installed, or any other electric light poles of the City's pattern, heretofore or hereafter erected and installed, shall be liable to a penalty of not less than three (\$3.00) dollars, nor more than twenty-five (\$25.00) dollars for each offense.

Section 8. This ordinance shall be in full force and effect from and after its passage and approval and due publication.

A. L. MOORE, *Mayor*.

Attest:

HARRY E. RHODES, *City Clerk*.

Passed by the City Council of the City of Bloomington, Illinois, this 16th day of August, A. D. 1912.

Approved by the Mayor of the City of Bloomington, Illinois, this 17th day of August, A. D. 1912.

Note—By an ordinance passed August 23, 1912, the C. C. C. & St. L. R. R. Company and the L. E. & W. R. R. Company were granted permission to remove the suspended arc lights at the intersections of their tracks with Main Street and Center Street.

ORDINANCE

AN ORDINANCE GRANTING TO CERTAIN BUSINESS MEN THE RIGHT TO INSTALL ORNAMENTAL ELECTRIC LIGHT POLES FOR AN ELECTRIC LIGHTING SYSTEM ON BOTH SIDES OF FRONT STREET, BETWEEN MAIN STREET AND PRAIRIE STREET.

Be it Ordained by the City Council of the City of Bloomington:

Section 1. That the following named persons are hereby granted the permission and privilege of erecting, installing and equipping ornamental electric light poles for electric lighting systems, in the locations and on the streets in the City of Bloomington, as herein designated and provided, as follows:

To Gus Bischoff, C. Garver, J. P. King, Walter Armbruster and the property owners represented by them, to erect and install nine (9) such

poles on the south side of said Front street and seven (7) such poles on the north side of said Front street, between the points aforesaid, two (2) of such lights to be erected by the City of Bloomington on the north side of said Front street and connected to said system.

Section 2. That the foregoing ornamental electric light poles shall be of the city's pattern, carrying five Tungsten electric lights, with globes, four lights on cross arms and one light on top extension of pole, lights to be of candle power designated by the city, and globes to be of city's pattern.

Section 3. That the above poles provided to be erected and installed, shall be erected, installed and located as designated in red, on a plat or blue print numbered "101a," on file in the office of the City Clerk, of the City of Bloomington, and such poles shall be erected and installed under the direction and supervision of the Superintendent of Water and Light, and City Electrician, and shall be in compliance with and conform to an ordinance passed on the 21st day of January, 1910, approved on the 22nd day of January, 1910, entitled, An Ordinance amending Article 7 of Chapter 9 of the Revised Ordinances of the City of Bloomington, entitled, 'City Electrician and Electrical Works.' "

Section 4. That when the said poles and the several electrical lighting systems herein provided to be erected and installed, shall be completely erected, installed and equipped as herein provided, the said several poles and lighting systems shall become the property of the City of Bloomington, free and clear of any and all charges or liens of any kind or character and shall thenceforth be under the sole control, management and ownership of the City of Bloomington.

Section 5. That upon the installation, equipment, in readiness to be connected to the city's electric light plant, of said poles and lighting systems, herein provided for, in accordance with the terms of this ordinance and the acceptance in writing of the terms of this ordinance by the several persons herein granted permission to erect and install such poles and lighting systems, the City of Bloomington shall provide the necessary primary circuit and transformer or transformers connecting said poles and lighting systems with the City Electric Light Plant, and the City of Bloomington shall thereafter furnish the necessary current to light and operate said lighting systems and shall maintain and operate the same as a part of the electric lighting system of the City of Bloomington. The city using electric lamps of such kind and candle power, as in the judgment of the City Electrician, conditions may require.

Section 6. That the several persons, herein granted permission to erect and install said poles and electric light systems, shall file with the City Clerk of the City of Bloomington their acceptance in writing, unconditionally accepting the terms and provisions of this ordinance, within ten days after the passage and approval thereof.

Section 7. Any person hitching any horse to or attaching any signs, wires, braces or other attachment whatever to the electric light poles herein provided to be erected and installed, or any other electric light poles of the city's pattern, heretofore or hereafter erected and installed, shall be liable to a penalty of not less than three (\$3.00) dollars, nor more than twenty-five (\$25.00) dollars for each offense.

Section 8. This ordinance shall be in full force and effect from and after its passage and approval and due publication.

Approved:

Attest:

JAS. COSTELLO, *Mayor*.

FRED R. EVANS, *City Clerk*.

Passed by the City Council of the City of Bloomington, Illinois, this 19th day of December, A. D. 1913.

Approved by the Mayor of the City of Bloomington, Illinois, this 20th day of December, A. D. 1913.

ORDINANCE

AN ORDINANCE GRANTING TO CERTAIN BUSINESS MEN THE RIGHT TO INSTALL ORNAMENTAL ELECTRIC LIGHT POLES FOR AN ELECTRIC LIGHTING SYSTEM ON BOTH SIDES OF MAIN STREET, BETWEEN MULBERRY STREET AND CHESTNUT STREET, IN THE CITY OF BLOOMINGTON.

Be it Ordained by the City Council of the City of Bloomington:

Section 1. That the following named persons are hereby granted the permission and privilege of erecting, installing and equipping ornamental electric light poles for electric lighting systems, in the locations and on the streets in the City of Bloomington, as herein designated and provided, as follows:

To F. W. Niergarth, W. H. Shelper and T. W. Evans and the property owners and persons represented by them, to erect and install six (6) such poles in the six and seven hundred blocks, on the east side of N. Main street, and four (4) such poles in the six hundred block on the west side of N. Main street in said City, and to connect to said system.

Section 2. That the foregoing ornamental electric light poles shall be of the city's pattern, carrying five Tungsten electric lights, with globes, four lights on crossarms and one light on top extension of pole, lights to be of candle power designated by the city, and globes to be of city's pattern.

Section 3. That the above poles provided to be erected and installed, shall be erected, installed and located as designated in red, on a plat or blue print numbered "101a," on file in the office of the City Clerk, of the City of Bloomington, and such poles shall be erected and installed

under the direction and supervision of the Superintendent of Water and Light, and City Electrician, and shall be in compliance with and conform to an ordinance passed on the 21st day of January, 1910, approved the 22nd day of January, 1910 entitled, "An Ordinance amending Article 7, of Chapter 9, of the Revised Ordinances of the City of Bloomington, entitled 'City Electrician and Electrical Work.' "

Section 4. That when the said poles and the several electrical lighting systems herein provided to be erected and installed, shall be completely erected, installed and equipped as herein provided, the said several poles and electric lighting systems shall become the property of the City of Bloomington, free and clear of any and all charges or liens of any kind or character and shall thenceforth be under the sole control, management and ownership of the City of Bloomington.

Section 5. That upon the installation, equipment, in readiness to be connected to the city's electric light plant, of said poles and lighting systems, herein provided for, in accordance with the terms of this ordinance and the acceptance in writing of the terms of this ordinance by the several persons herein granted permission to erect and install such poles and lighting systems, the City of Bloomington shall provide the necessary primary circuit and transformer or transformers connecting said poles and lighting systems with the City Electric Light Plant, and the City of Bloomington shall thereafter furnish the necessary current to light and operate said lighting systems and shall maintain and operate the same as a part of the electric lighting system of the City of Bloomington. The city using electric lamps of such kind and candle power, as in the judgment of the City Electrician, conditions may require.

Section 6. That the several persons herein granted permission to erect and install said poles and electric light systems, shall file with the City Clerk of the City of Bloomington their acceptance in writing, unconditionally accepting the terms and provisions of this ordinance, within ten days after the passage and approval thereof.

Section 7. This ordinance shall be in full force and effect from and after its passage and approval.

Approved:

JAS. COSTELLO, *Mayor*.

Attest:

FRED R. EVANS, *City Clerk*.

Passed by the City Council of the City of Bloomington, Illinois, this 19th day of June, A. D. 1914.

Approved by the Mayor of the City of Bloomington, Illinois, this 20th day of June, A. D. 1914.

WHITE PLACE HEATING SYSTEM**ORDINANCE**

AN ORDINANCE GRANTING TO SAMUEL R. WHITE, WILLIAM SCHMIDT, AND JOHN J. PITTS, AND TO THEIR SUCCESSORS, ASSIGNS OR LESSEES, THE RIGHT TO MANUFACTURE, SELL, DISTRIBUTE, DELIVER AND DISPOSE OF STEAM AND ELECTRICITY FOR POWER WITHIN THE CITY OF BLOOMINGTON, AND FOR THE PURPOSE OF HEATING BUILDINGS AND OTHER PLACES, AND FOR THE PURPOSE OF SUPPLYING ELECTRIC POWER WITHIN SAID CITY OR WITHIN ADJACENT TERRITORIES, AND FOR ANY OTHER PURPOSE FOR WHICH SAID STEAM OR ELECTRICITY MAY PROVE TO BE ADAPTED.

Be it Ordained by the City Council of the City of Bloomington:

Section 1. That for and during the term of twenty years, beginning with the date of acceptance of this ordinance, Samuel R. White, William Schmidt and John J. Pitts, and their successors, assigns or lessees, be and they are hereby authorized and permitted the right to manufacture, distribute, deliver and dispose of steam and electricity for power within the City of Bloomington, and for the purpose of heating buildings and other places; and for the purpose of supplying electric power within said city or within adjacent territories, and for any other purpose for which said steam or electricity may prove to be adapted, in the following territory in said city.

Bounded by Empire street on the south, Division street on the north, Center street on the west and Illinois Central Railroad on the east. Also in all the streets and alleys running north from Empire street to University avenue between Center street and the alley between McLean and Evans street, and also granting to the said above mentioned parties, their successors, assigns or lessees the right to manufacture, sell, distribute, deliver and dispose of electricity for power and illuminating purposes, and steam for heating purposes within that portion of said City of Bloomington, beginning at the intersection of Empire and Center streets in the City of Bloomington, thence north on Center street to Division street, thence east on Division street to Main street, hence south on Main street to Empire street. Also on University avenue from Fell avenue to Main street. Also all the streets and alleys between Park street and Fell avenue from University avenue to Emerson street. Also on Emerson street from Fell avenue to East street.

And further there is granted to said grantees above named, for that purpose, the right to use the streets, avenues, alleys and public grounds of the City of Bloomington, except the public parks, within said district, to construct under and upon the same such constructions, pipes, mains, wires, conduits, poles and apparatus as are suitable and adapted for such purposes, with full power and authority to maintain, repair, relocate the same from time to time, provided always that the powers granted herein

are exercised in such manner as to do no permanent injury or damage to such streets, avenues, alleys and public grounds, and provided always that such powers are exercised subject to all restrictions in this ordinance contained, and in accordance with the terms and conditions of all ordinances of the City of Bloomington applicable thereto now in force or that may be in force hereafter.

Section 2. That the permit and right granted in and by Section 1 of this ordinance is granted upon the express condition that the said Samuel R. White, William Schmidt and John J. Pitts, or their successors, assigns or lessees, shall protect the City of Bloomington from any and all damages, if any, which may be suffered by any persons, or which may be caused to the property or rights of any person or persons, if any, on account of such excavations, and the laying and repairing of such pipes, conduits, connections, wires and apparatus in the streets, alleys and public places of said city. Said constructions, pipes, mains, wires, conduits, poles and apparatus and all necessary appurtenances, where practicable, shall be laid or constructed in the alleys; and if not practicable to lay or construct them in the alleys they may be laid in the streets on lines first to be approved by the City of Bloomington. When the parties to whom the foregoing rights are granted, or their successors, assigns or lessees, shall enter upon any street, alley or public place, for the purpose of construction or repairing any portion of their system, they shall prosecute the work with due diligence, and close all trenches or holes as soon as possible as the work progresses, leaving the street, alley, avenue or public place at the same grade and in the same condition as it was found by them at the time of entry, in accordance with the requirements of the ordinances of said city applicable thereto, and in accordance with the provisions of any contract or bond then in force between said city and the contractor by whom the street was paved. Said Samuel R. White, William Schmidt and John J. Pitts, or their successors, assigns or lessees, shall make said necessary excavations and lay said pipes, conduits and wires without damage to such gas, water, sewer or other pipes as may be at the time the said excavations or constructions are made in the alleys, streets and public places in the City of Bloomington; and shall protect said city from any claim for damages that may arise therefrom.

The said Samuel R. White, William Schmidt and John J. Pitts, or their successors, assigns or lessees, by the acceptance of the provisions of this ordinance, agree that during the time they or either of them, shall maintain and operate such construction, pipes, mains, wires, conduits, poles and other apparatus, suitable and adapted for such system, they will protect the City of Bloomington from all damages which may happen to persons or property on account of the maintenance of such pipes, mains, wire, conduits, poles and other apparatus, or any part thereof, or on account of the distribution of steam or electricity through such system. The said Samuel R. White, William Schmidt and John J. Pitts, or their successors, assigns or lessees, shall so construct the system described herein so as not to interfere with any main or branch of the sewerage system of

said city, now or hereafter to be laid, and subject to the right of said city to change grade of the surface of said alleys, streets or public places, whenever the City Council of said city shall so ordain. And if the grade of the surface of any street, alley or public place shall be changed by the City Council of said city, so as to make it necessary to change or relay any of the said construction, pipes, mains, wires, conduit, or other apparatus, the said change or relaying shall be done by the said Samuel R. White, William Schmidt and John J. Pitts, or their successors, assigns or lessees, at their own expense.

Section 3. Should it become necessary for the proper distribution of heat or electricity, to excavate and lay pipes and boxing or other suitable apparatus in any of the streets or alleys or any other public place now covered with brick or other paving, the said Samuel R. White, William Schmidt and John J. Pitts, or their successors, assigns or lessees do hereby agree that all the provisions and conditions of the city of Bloomington applicable to such excavations shall first be complied with before such excavations are made; and that such excavations and the relaying of the pavement in the places where such excavations shall be made, shall be done in accordance with all the provisions of the ordinance of the city of Bloomington applicable thereto, now in force or that may be in force hereafter.

Section 4. The rights and privileges herein granted are subject nevertheless, to this condition, that if said grantees, their successors, assigns or lessees desire to avail themselves thereof a written acceptance of all the terms of this ordinance must be filed with the City Clerk within twenty days from the passage of this ordinance, accepting all its terms, conditions and provisions; and the said acceptance shall be presented by the City Clerk to the City Council and made a part of the record of its proceedings. The said grantees, or their successors, assigns or lessees within one year from the date of the passage of this ordinance, shall have begun actual work on the heating and electric plant contemplated herein, and in default thereof all rights and powers granted hereby shall cease and be of no effect.

That said plant shall be in operation ready to furnish heat and electricity both for electric light and electric power, on or before September 1, 1907.

In consideration of the privileges herein granted the said Samuel R. White, William Schmidt and John J. Pitts, their successors, assigns and lessees agree to furnish sufficient light, power and heat upon request, to all city buildings that are now erected within the said described territory, free of any charge or expense to the City of Bloomington, and also agree to furnish light, power and heat to Engine House No. 3, located at the southwest corner of Center and Walnut streets.

And in further consideration of the privileges herein granted, the said Samuel R. White, William Schmidt and John J. Pitts, their successors, assigns or lessees agree to furnish light to any and all city buildings, if requested, after the installation of the plant and properly light the same at

one-half of the lowest rate of light furnished to their regular patrons, and upon violation of this clause of the ordinance and proof that said Samuel R. White, William Schmidt and John J. Pitts, their successor, assigns or lessees should charge for such light more than one-half of the lowest rate said light is charged to any of their regular patrons, then in such case, the rights and powers granted hereby shall cease and be of no effect.

Section 5. This ordinance shall be in force and effect from and after its passage and acceptance of the terms and conditions thereof unconditionally by said Samuel R. White, William Schmidt and John J. Pitts as herein provided.

Passed this 20th day of April, 1906.

Approved this 21st day of April, 1906.

J. S. NEVILLE, *Mayor*.

Attest:

HERBERT L. DENISON, *City Clerk*.

ACCEPTANCE

To the Honorable, the Mayor, and the City Council of the City of Bloomington:

Gentlemen: We the undersigned accept the terms and conditions unconditionally of the ordinance granted to Samuel R. White, William Schmidt and John J. Pitts and their successors, assigns or lessees passed by your honorable body on April 20th, 1906, and approved by the Mayor April 21, 1906.

SAMUEL R. WHITE,
WM. SCHMIDT,
J. J. PITTS.

Bloomington, Illinois, May 9, 1906.

HEATING SYSTEM

ORDINANCE

AN ORDINANCE GRANTING TO C. A. GRIFFIN, SAMUEL R. WHITE, PARKE R. LONGWORTH AND JOHN J. PITTS, AND TO THEIR SUCCESSORS, ASSIGNS OR LESSEES, THE RIGHT TO MANUFACTURE, SELL, DISTRIBUTE, DELIVER AND DISPOSE OF STEAM AND ELECTRICITY FOR POWER WITHIN THE CITY OF BLOOMINGTON, AND FOR THE PURPOSE OF HEATING BUILDINGS AND OTHER PLACES, AND FOR THE PURPOSE OF SUPPLYING ELECTRIC POWER WITHIN SAID CITY, OR WITHIN ADJACENT TERRITORIES, AND FOR ANY OTHER PURPOSE FOR WHICH SAID STEAM OR ELECTRICITY MAY PROVE TO BE ADAPTED.

Be it Ordained by the City Council of the City of Bloomington:

Section 1. That for and during the term of twenty (20) years beginning with the date of acceptance of this ordinance, C. A. Griffin, Samuel R. White, Parke R. Longworth and John J. Pitts, and their successors, assigns or lessees, be and they are hereby authorized and permitted the right to manufacture, distribute, deliver and dispose of steam and electricity for power within the City of Bloomington, and for the purpose of heating buildings and other places; and for the purpose of supplying electric power within said city, or within adjacent territories, and for any other purpose for which said steam or electricity may prove adapted, in the following territory in said city: Bounded by Empire street on the north, Market street on the south, Robinson street on the east and Prairie street on the west; also in the alleys between Prairie street and East street, from Mulberry street to the north side of University avenue; and also granting to the said above mentioned parties, their successors, assigns or lessees, the right to manufacture, sell, distribute, deliver and dispose of electricity for power and illuminating purposes, and steam for heating purposes within that portion of said city of Bloomington bounded on the east by the west line of the Illinois Central Railroad Company's right of way and on the west by the west line of Robinson street, and the alleys adjacent to said west line of the Illinois Central Railroad Company's right of way, between Empire street and Monroe street; also the alleys between Douglas street and Market street, from Robinson street to East Street. And further there is granted to said grantecs above named, for that purpose, the right to use the streets, avenues, alleys and public grounds of the city of Bloomington, except the public parks, within said district, to construct under and upon the same such constructions, pipes, mains, wires, conduits, poles and apparatus as are suitable and adapted for such purposes with full power and authority to maintain, repair and relocate the same from time to time, provided always that the powers granted herein are exercised in such manner as to do no premanent injury or damage to such streets, avenues, alleys and public grounds, and provided always that such powers are exercised subject to all restrictions in this ordinance contained, and in accordance with the terms and conditions of all ordinances of the city of Bloomington applicable thereto, now in force, or that may be in force hereafter.

Section 2. That the permit and right granted in and by Section 1 of this ordinance is granted upon the express condition that the said C. A. Griffin, Samuel R. White, Parke R. Longworth, and John J. Pitts, or their successors, assigns or lessees shall protect the city of Bloomington from any and all damages, if any, which may be suffered by any person or persons, or which may be caused to the property or rights of any person or persons, if any, on account of such excavations, and the laying and repairing of such pipes, conduits, connections, wires and apparatus in the streets, alleys and public places of said city. Said constructions, pipes, mains, wires, conduits, poles and apparatus and all necessary appurtenances where practicable, shall be laid or constructed in the alleys;

and if not practicable to lay or construct them in the alleys they may be laid in the streets on lines first to be approved by the city of Bloomington. When the parties to whom the foregoing rights are granted, or their successors, assigns or lessees, shall enter upon any street, alley or public place, for the purpose of constructing or repairing any portion of their system, they shall prosecute the work with due diligence and close all trenches or holes as soon as possible as the work progresses; leaving the street, alley, avenue or public place at the same grade and in the same condition as it was found by them at the time of entry; in accordance with the requirements of the ordinances of said city applicable thereto, and in accordance with the provisions of any contract or bond then in force between said city and the contractor by whom the street was paved. Said C. R. Griffin, Samuel R. White, Parke R. Longworth and John J. Pitts, or their successors, assigns or lessees, shall make said necessary excavations and lay said pipes, conduits and wires without damage to such gas, water, sewer or other pipes as may be, at the time the said excavations or constructions are made, in the alleys, streets and public places of the city of Bloomington; and shall protect said city from any claim for damages that may arise therefrom.

The said C. A. Griffin, Samuel R. White, Parke R. Longworth and John J. Pitts, or their successors, assigns or lessees, by the acceptance of the provisions of this ordinance, agree that during the time they or either of them, shall maintain and operate such construction, pipes, mains, wires, conduits, poles and other apparatus, suitable and adapted for such system, they will protect the city of Bloomington from all damages which may happen to persons or property on account of the maintenance of such pipes, mains, wires, conduits, poles and other apparatus, or any part thereof, or on account of the distribution of steam or electricity through such system. The said C. A. Griffin, Samuel R. White, Parke R. Longworth, and John J. Pitts, or their successors, assigns or lessees, shall so construct the system described herein so as not to interfere with any main or branch of the sewerage system of said city, now or hereafter to be laid, and subject to the right of said city to change the grade of the surface of said alleys, streets or public places, whenever the City Council of said city shall so ordain. And if the grade of the surface of any street, alley or public place shall be changed by the City Council of said city, so as to make it necessary to change or relay any of the said construction, pipes, mains, wires, conduits or other apparatus the said change or relaying shall be done by the said C. A. Griffin, Samuel R. White, Parke R. Longworth and John J. Pitts, or their successors, assigns or lessees, at their own expense.

Section 3. Should it become necessary for the proper distribution of heat or electricity, to excavate and lay pipes and boxing or other suitable apparatus in any of the streets or alleys or any other public place now covered with brick or other paving, the said C. A. Griffin, Samuel R. White, Parke R. Longworth and John J. Pitts, or their successors, assigns or lessees, do hereby agree that all the provisions and conditions of the city of Bloomington applicable to such excavations shall first be

complied with before such excavations are made; and that such excavations and the relaying of the pavement in the places where such excavations shall be made, shall be done in accordance with all the provisions of the ordinances of the city of Bloomington, applicable thereto, now in force or that may be in force hereafter.

Section 4. The rights and privileges herein granted are subject nevertheless, to this condition, that if said grantees, their successors, assigns, or lessees, desire to avail themselves thereof a written acceptance of all the terms of this ordinance must be filed with the City Clerk within twenty days from the passage of this ordinance, accepting all its terms, conditions and provisions; and the said acceptance shall be presented by the City Clerk to the City Council and made a part of the record of its proceedings. The said grantees, or their successors, assigns or lessees, within one year from the date of the passage of this ordinance, shall have begun actual work on the heating and electric plant contemplated herein, and in default thereof all rights and powers granted hereby, shall cease and be of no effect. That said plant shall be in operation, ready to furnish heat and electricity, both for electric lighting and electric power, on or before August 9, 1906. In consideration of the privileges herein granted, the said C. A. Griffin, Samuel R. White, Parke R. Longworth and John J. Pitts, their successors, and assigns, and lessees, agree to furnish one hundred and twenty (120) lights of the same candle power as the lights of greatest candle power now in use in the City Hall, to be placed in whatever building or buildings directed by the said city of Bloomington, and to furnish sufficient electric power necessary to maintain batteries for the fire alarm system in use by the said city of Bloomington, at all times when said light or power is required, from and after August 1, 1906, free of any charge or expense to the city of Bloomington. And in further consideration of the privileges herein granted, the said C. A. Griffin, Samuel R. White, Parke R. Longworth and John J. Pitts, their successors, assigns or lessees, agree to furnish light to any and all of the City buildings, when requested, after the installation of their plant, to properly light such buildings, at one-half the lowest rate that such light is furnished to their regular patrons, and for a violation of this clause of the ordinance, and upon proof that the said C. A. Griffin, Samuel R. White, Parke R. Longworth and John J. Pitts, their successors, assigns or lessees are charging for any such light more than one-half of the lowest rate that such light is furnished to any of their regular patrons, then, in such case the rights and powers granted hereby shall cease and be of no effect.

Section 5. This ordinance shall be in force and effect from and after its passage, and the acceptance of the terms and conditions thereof, unconditionally, by the said C. A. Griffin, Samuel R. White, Parke R. Longworth and John J. Pitts as herein provided.

Passed this 24th day of March, A. D. 1905.

Approved this 25th day of March, A. D. 1905.

Attest:

G. C. MORRISON, *Mayor*.

HERBERT L. DENISON, *City Clerk*.

ACCEPTANCE

To the Honorable, the Mayor and the City Council of the City of Bloomington:

Gentlemen: The undersigned, C. A. Griffin, Samuel R. White, Parke R. Longworth, and John J. Pitts, do hereby accept the franchise granted to them by your honorable body at the meeting held the 17th of March, 1905, subject to the conditions and stipulations therein contained. Dated March 31st, 1905.

Respectfully submitted,

CHAS. A. GRIFFIN,
SAMUEL R. WHITE,
PARKE R. LONGWORTH,
JOHN J. PITTS.

WATER MAIN TO CERTAIN HOTELS**ORDINANCE**

AN ORDINANCE GRANTING TO GEORGE S. HANNA, DUNCAN M. FUNK, HAMER H. GREEN AND LINCOLN H. WELDON, OR THEIR ASSIGNS, THE RIGHT TO LAY A FOUR INCH PIPE OR MAIN UNDER CERTAIN STREETS, ALLEYS AND OTHER PUBLIC PLACES IN THE CITY OF BLOOMINGTON, ILLINOIS.

Be it Ordained by the City Council of the City of Bloomington:

Section 1. That George S. Hanna, Duncan M. Funk, Hamer H. Green and Lincoln H. Weldon or their assigns, be and they are, hereby authorized and permitted to excavate necessary trenches, and to lay therein and maintain a four inch pipe or main and all necessary fittings and connections and other appurtenances thereto under the streets, alleys, and other public places in the City of Bloomington, Illinois, as hereafter specified for the period of fifteen years from the date of the ordinance from the well belonging to the city of Bloomington, situated on the lot described as follows:

That portion of the north east corner of Block 2 in Young's Addition to the City of Bloomington, McLean County, Illinois, described as follows: Beginning at the north east corner of said Block 2 thence west along the south side of Taylor street 50 feet; thence south 100 feet; thence east 50 feet; thence north 100 feet along Lee street to the place of beginning, by the following route. Starting at the tubular well on said lot, thence across Lee street to Water street, thence east on Water street to West street, thence north on West street to the alley between Washington and Jefferson streets; thence east through said alley to Madison street; thence north on Madison street to Jefferson street; to a point in front of the Illinois Hotel Building with a branch line or pipe from the most convenient point on said route to the Hills House Building, said pipes or main to be used for the purpose of conducting and distributing water for the use of the Illinois Hotel Building and the Hills House Building.

Section 2. That the permit and the right granted in and by section one of this ordinance is granted upon the express condition that the said George S. Hanna, Duncan M. Funk, Hamer H. Green, and Lincoln H. Weldon or their assigns shall protect the city of Bloomington from any and all damages, if any, which may be suffered by any person or persons, or which may be caused to the property or rights of any person or persons, if any, on account of excavating and the laying of said pipe or main in the streets, alleys and public places of said city. Said pipe or main and connections shall be laid under the direction of city engineer, and in cases where streets are paved, excavation shall be made and said pipes or main, fittings or connections shall be laid and excavation filled and pavement replaced in accordance with the requirements of the ordinance of said city and in accordance with the provisions of any contract or bond then in force between said city and the contractor by whom the street was paved, and in all cases, in whatever part of said street, alleys or public places, such excavation shall be made, the surface thereof to be restored to the same condition as before said excavation by said George S. Hanna, Duncan M. Funk, Hamer H. Green and Lincoln H. Weldon or their assigns; and said George S. Hanna, Duncan M. Funk, Hamer H. Green, Lincoln H. Weldon or their assigns, shall make said necessary excavations and lay said pipes, mains, fittings or connections thereto without damage to any gas, water, sewer or other pipes as may, at the time be in the streets, alleys and public places and shall protect said city from any claims for damages that may arise therefrom and shall also lay said pipe, mains, fittings, and connections thereto as not to interfere with any main or branch of the sewerage system of the said city now constructed or hereafter to be laid, and subject to the right of said city to change the grade of the surface of said streets, alleys and public places whenever the City Council shall so ordain. And said George S. Hanna, Duncan M. Funk, Hamer H. Green and Lincoln H. Weldon and assigns, by the acceptance of the provisions of this ordinance agree that during the time they maintain and operate said pipe, mains, fittings and connections they will protect the city of Bloomington from all damage that may happen to persons or property on account of the maintenance of such pipe or main, or on account of the distribution of water through the same.

Section 3. That the said George S. Hanna, Duncan M. Funk, Hamer H. Green and Lincoln H. Weldon or assigns agree that all provisions and conditions of the ordinances of the city of Bloomington applicable to such excavations where the same shall be made by them, shall be first complied with before such excavations and the relaying of the pavement in such places, shall be done according to all the provisions of the ordinances applicable thereto.

Section 4. That the city for the sum of one hundred and ten dollars (\$110) per year for and during the time said persons use said lot, agrees to furnish the lot hereinbefore, to said George S. Hanna, Duncan M. Funk, Hamer H. Green and Lincoln H. Weldon with the use of the tubular well now on same which the said George S. Hanna, Duncan M. Funk, Hamer H. Green and Lincoln H. Weldon or their assigns, agree to surrender to the said

city at any time, on ninety (90) days notice from said city, and a notice given to any one of the above named persons shall be a sufficient notice.

Section 5. The said George S. Hanna, Duncan M. Funk, Hamer H. Green, Lincoln H. Weldon or their assigns, shall file with the City Clerk of the City of Bloomington an instrument in writing within twenty (20) days from the passage of this ordinance, accepting all the terms, conditions and provisions of this ordinance whereupon it shall at once take effect, and upon default thereof the same shall be void, and said acceptance shall be presented by the City Clerk to the City Council and become a part of the records of its proceedings.

Passed this 13th day of October, A. D. 1905.

Approved this 14th day of October, A. D. 1905.

JAS. S. NEVILLE, *Mayor*.

Attest:

HERBERT L. DENISON, *City Clerk*.

ACCEPTANCE

To the Honorable, the Mayor, and the City Council of the City of Bloomington:

BLOOMINGTON, ILL., OCTOBER 27, 1905.

Gentlemen: The undersigned herewith formally accept the terms and conditions of the ordinance passed by your honorable body October 13th, 1905, granting to them the right to lay a pipe through the streets, alleys and public places for the distribution of water.

Respectfully submitted,

H. H. GREEN,
D. M. FUNK,
GEORGE S. HANNA,
L. H. WELDON.

PEST HOUSE—AT COUNTY FARM

This agreement, made and entered into this 9th day of March, A. D. 1894, by and between the county of McLean, party of the first part and the city of Bloomington, Illinois, party of the second part.

WITNESSETH: That the said parties agree by and with each other as follows:

First—Said party of the first part hereby agrees to furnish a suitable site, to be designated by said first party, on its poor farm for the purpose of the erection of a pest-house.

Second—The said party of the second part hereby agrees to construct upon the site so furnished by the party of the first part, for use as a pest-house, a one-story frame, shingle roofed building, of not less than four rooms, to be built of good material and finished in a workmanlike manner;

said house shall be lathed, plastered, painted, and otherwise properly constructed, so as to make a house comfortable for patients in the coldest weather, and to cost not less than five hundred (500) dollars.

Third—The said party of the second part hereby agrees to furnish and completely equip the said building with modern appliances appropriate for a pest-house, and shall also keep the said building in repair and shall renew the said appliances and furnishings after they have become worn out, injured, or destroyed.

Fourth—The said party of the first part hereby agrees to supply the said house with pure water for the use of the said pest-house.

Fifth—The said party of the second part hereby agrees to enclose the said pest-house by means of posts and barbed wire, said wires being placed not further apart than four inches, and post to be six feet apart; said fence to be eight feet high and be placed not closer than twenty feet from said house, and said fence provided with a gate and means for securely locking the same.

Sixth—Said building shall at all times be under the supervision and control of said party of the first part, subject to the right of the second party to use the same for pest-house purposes, when it has patients. In case said parties shall at any time mutually agree to cease using said building as a pest-house said building shall be and become the property of the city and it shall have the right to remove the same at its own expense.

Seventh—Each of the parties shall have the right to use the said pest-house for patients afflicted with small-pox or other contagious diseases, and when using the same said party shall pay all expenses incurred by it in such use, including medical services. Each party after using said building for such purposes, shall thoroughly fumigate and disinfect the same.

A. J. SCROGIN,

Chairman Committee on County Farms.

Attest:

D. T. FOSTER, *Mayor.*

R. N. EVANS, *City Clerk.*

CHARTER OF THE CITY SCHOOLS

AN ACT—To establish and regulate a system of public schools in the city of Bloomington. (In force February 16, 1857.)

Section 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:*

That there shall be elected biennially in the City of Bloomington, by the qualified electors of said city, a board of education, to consist of seven members, which shall be denominated the board of education, and the persons so elected shall be residents of said city, and shall hold their office for the term of two years and until their successors shall be elected and qualified. The first election for said members of the board of education shall be holden on the first Monday of April, A. D. 1857, and on the first Monday of April

biennially thereafter. The meetings for said election shall be notified and called, and the poll book opened and kept, the votes canvassed and the returns made in the same manner as the election of mayor and aldermen; the seven persons having the highest number of votes shall be declared elected, and the city clerk immediately upon the result of the election being made known by the proper returns, shall notify the several persons so elected of their election.

Section 2. The board of education shall, within two days after their election, or as soon thereafter as convenient, meet within said city, the time and place of meeting shall be made known to all the members of said board in writing, by any two of the persons so elected; when convened, the board shall organize by electing one of their number president, and appointing by ballot some competent person to be secretary of said board, who may or may not be a member of the board, and also appoint a treasurer. The president shall preside at all meetings of the board and perform all the duties of a presiding officer. The secretary shall keep a record of the proceedings of the board in a book to be provided for that purpose by the board, and shall perform such other duties in relation to the schools of said city as shall be required of him by the rules and regulations to be made and established by the board. The president, secretary and treasurer shall hold their offices for the term of two years, and until their successors shall be elected and qualified. The secretary and treasurer shall be subject to removal for good cause, by a vote of a majority of said board, and in case of such removal the board shall appoint a competent person to fill the vacancy. The treasurer shall give bond with good and sufficient securities to the City of Bloomington, such bond to be approved by said board in such sum as the board may determine, but to be in all cases as nearly as can be ascertained, in double the amount of all moneys that will at any time come into his hands, and conditioned for the performance of his duties as such treasurer, and especially faithfully to keep, and from time to time pay over upon the order of the board all moneys that he shall receive as such treasurer, and for any breach of the conditions of said bond, as such shall be prosecuted in the name of said city against the said treasurer, under the direction and supervision of the said board, and all moneys realized from a judgment recovered against any treasurer for a breach of the conditions of his bond, shall go into the treasury of the board to be used as other school moneys are used. The treasurer shall keep a true and accurate account of all moneys received and paid out by him, for what purposes, upon what and whose account. But he shall pay out no money except upon order of the board; for all moneys paid out he shall take and file with the papers of his office proper vouchers. He shall settle his account with the board, at least once in a year, and oftener if the board shall so require.

Section 3. The said City of Bloomington shall be exempt from the jurisdiction of trustees of schools in the township in which the said City of Bloomington is located, so far as common schools are concerned, and the school commissioner of McLean County shall, in the distribution of the school

fund that may come into his hands, apportion so much of the school fund as the City of Bloomington may be entitled to, upon a *pro rata* distribution of said funds among the several townships of said county to said City of Bloomington, and upon the filing of the bond of the treasurer of the said board of education, the said school commissioner shall pay over to the said treasurer, the amount due said city. All taxes levied in accordance with the provisions of this act, shall be paid over by the officer collecting the same, to the treasurer of the board of education, and upon all moneys passing through his hands the said treasurer shall be allowed to retain two per cent per annum. If any vacancy shall occur in the board of education between the times of the biennial election, by death, resignation or removal from the limits of the city, the retaining members of the board shall fill said vacancy by appointment, and the person so appointed shall hold his office until the next biennial election for members of the board. The said board of education shall be capable of contracting and being contracted with, suing and being sued, pleaded and being impleaded, in any court of law or equity in this state, and shall also be capable of receiving any gift, grant, donation or devise made for the use of the common schools in said city.

Section 4. The said board shall hold their meetings at such time and places as they may think proper; that any four of said board shall constitute a quorum; that special meetings may be called by the president or any two members of the board, on giving two days' notice of the time and place of holding such meetings, but at no special meeting except all the members of the board are present, shall any resolution in relation to sites for school houses, or financial resolution or order to be passed, unless the two days' notice as aforesaid be given and the subject or subjects to be acted on be specified in the notice.

Section 5. The said board of education shall have the entire management and control of all the common schools in said City of Bloomington, and of all the houses, lands, and appurtenances already provided, and set apart for common school purposes, as well as those hereafter to be provided for the same purposes, and the said City of Bloomington shall, from and after the first Monday of April next, constitute but one school district, and all moneys accruing to said district for school purposes under any law of this state, shall be paid over to the treasurer of said board of education.

Section 6. It shall be the duty of said board of education, so soon as they may realize sufficient funds for the purpose, to establish within the bounds of the City of Bloomington, a sufficient number of primary, secondary, and grammar schools to accommodate all the children of the city, and they shall also establish a city high school, in said city, of a grade above the grammar schools. To each school in this system there shall be a gratuitous admission for the children, wards and apprentices of all the residents of the City of Bloomington, and of such other persons living in the immediate vicinity as may own property, charged with a school tax in said City of Bloomington, with the following restrictions, viz: No pupil shall be admit-

ted to the secondary, grammar or high schools who fails to sustain a thorough examination in the studies of the school of the next lower grade, and the teachers in either schools shall have power in accordance with the rule and regulations of the board of education, to exclude pupils for misconduct or non-attendance.

Section 7. The said board of education shall have power to make and enforce all necessary rules and regulations for the government of teachers and pupils in said schools, to employ teachers, male and female, from among those who have received a certificate from the city examiners, and pay them a suitable compensation; to purchase all necessary books and apparatus; to select sites for school houses, and superintend the building of the same upon their own plan, and to pay for the lands and houses and furniture, as well as the other expenses of said school system, from the public moneys in the hands of the treasurer of said board.

Section 8. The said board of education, within thirty days after their organization, shall report to the city council of the City of Bloomington, the number and description of buildings necessary for the purposes of common schools in said city, which report shall be in writing, and shall specify the amount of money necessary to be raised to meet the expenses of erecting such buildings, and said board shall also specify in said report the amount of money necessary to said city under the general school law of this state, to defray all other expense of said school system during the current year, and thereupon the said city council shall proceed to levy a tax sufficient to meet the expenses of building and repairing school houses, and the expenses attendant upon the maintenance of said free schools in said city during the whole year, customary vacations only excepted, said taxes to be levied and collected as the other taxes of the said city are or may be collected: *Provided*, said tax shall not exceed five mills on the dollar of the taxable property of said city; and it shall be the duty of said board, on or before the first Monday of April in every year thereafter, to make a report in writing to the city council of all moneys received, how and for what purpose expended, with the proper vouchers and give such other information in relation to said schools as they may deem important, specifying in said annual report the amount of money necessary to be raised by taxation to defray the expenses of said school system, and the city council shall, annually, upon the coming in of such report, and within thirty days thereafter, proceed to levy a tax sufficient to meet such expenses, to be levied and collected as the other taxes of said city: *Provided*, said taxes shall not exceed five mills on the dollar of the taxable property of the said city, and the said city council shall cause all such reports of the board of education to be published or so much thereof as they may deem necessary, the reports being left with the mayor of the city, open to public inspection.

Section 9. All legal titles to land and houses and other property used for common school purposes in said city of Bloomington, shall vest in said board of education, at the taking effect of this act; and all titles acquired

thereafter shall be in the name of said board of education; and said board of education shall have power to sell, lease and convey any and all of the lands and tenements held under and by virtue of this act, and to purchase other lands and tenements in more eligible positions.

Section 10. The said board of education shall, immediately upon their election as hereinbefore provided, appoint three competent persons to serve as school examiners of said city, all of whom shall be citizens of Bloomington, to serve for two years, one of whom they shall designate as city school superintendent, and it shall be his duty to visit, inspect and exercise a general control over said system of schools, subject to the direction of said board of education, and be compensated for his services as said board may from time to time determine, and biennially thereafter said board shall appoint three competent persons to act as school examiners for said city; the said examiners or any two of them, shall examine such persons as shall apply for that purpose, and if they find the applicant qualified to teach, they shall give him or her a certificate, naming the branches he or she is found qualified to teach, showing that they have inquired into his or her character, and believe it to be moral and good, and that he or she is qualified to govern and teach; the said examiners shall also recommend suitable text-books to be adopted by the said board of education for the use of schools, and semi-annually report the condition of said schools to the city council, the publication of which shall be at the discretion of the said council.

Section 11. Annually at such time as the board shall appoint public examination of all the schools shall be had under the direction of the board of education and examiners.

Section 12. So much of the general school law, and so much of all other laws of this state, general or local, as may be inconsistent with this act, are repealed as to said city of Bloomington.

Section 13. This act shall take effect from and after its passage.

AN ACT—To provide amendments to the Bloomington School Law. (Approved February 16, 1865.)

Section 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:*

The act entitled, "An act to establish and regulate a system of public schools in the City of Bloomington," approved February 16, 1857, be and the same is hereby amended as follows, to-wit: The words, "and of such other persons living in the immediate vicinity as may own property charged with a school tax in said City of Bloomington," in the sixth section of said act are stricken out. Also in the eighth section of said act, the word, "five" in both places where it occurs before the word "mills," shall be and is hereby changed to "ten" so that it shall read in both places "ten" mills on the dollar of the taxable property of said city, instead of "five" mills.

Section 2. That the tenth section of said act be and is hereby so amended that the said board of education are hereby authorized to choose the "examiners" provided for in said section, one or all of them, from the members of said board.

Section 3. That hereafter all elections under school law shall be held at one place, to-wit: At the court house in said City of Bloomington, instead of in the several wards as heretofore.

Section 4. That the said board of education is hereby authorized to borrow money upon the signature of its president and secretary (having been previously authorized to do so by the board at one of its legal meetings), at a rate of interest not to exceed ten per cent per annum, for the purpose of purchasing sites, building and repairing school houses, or so furnishing the same, to an amount not to exceed for any one loan one-half of the probable sum to be realized from the taxes of the succeeding year, to be paid out of said taxes when collected in all cases.

Section 5. These amendments shall take effect and be in force from and after their approval by the legal voters of said city at the regular election for the members of the board of education, in April next (1865), at which election the question shall be submitted in the following manner: Ballots shall be prepared "for the amendments to the school law" and "against the amendments to the school law," and if more votes shall be cast for than against said amendments, then said amendments, shall, from that date be and become a part of the school law for said City of Bloomington. But if more votes shall be cast against than for said amendments then said amendments shall not become a portion of said school law.

AN ACT—To amend "An act to establish and regulate a system of public schools in the City of Bloomington." (Approved February 22, 1867.)

Section 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:*

That the act entitled "An act to establish and regulate a system of public schools in the City of Bloomington," be, and the same is hereby amended as follows:

Section 2. That in addition to the power and authority vested in the board of education of the City of Bloomington by the act to which this is an amendment, and the former amendment thereto and for the purpose of enabling said board to purchase proper sites, for school houses, to erect suitable buildings thereon, and to finish and furnish all of their school houses in a proper manner, the said board of education shall have the power, and they are hereby vested with the authority following:

Section 3. To issue bonds in such denominations and in such sums as they may deem proper, not to exceed in the aggregate the sum of one hundred thousand dollars, bearing interest payable annually or semi-annually, at a rate not to exceed ten per cent per annum. Said bonds to be made

payable not less than five years nor more than twenty years from their dates, respectively and not to exceed ten thousand dollars of said bonds, shall be made payable or fall due in any one year.

Section 4. That each and all of said bonds, so to be issued as aforesaid, shall be made payable to the order of some particular person therein set forth and named, and shall be executed by the board of education, under their seal, by and through their president and secretary, and shall also be countersigned by the treasurer of said board. And it shall also be the duty of said secretary and treasurer, each to keep in a book provided for that purpose, an accurate list of all bonds so issued, with a full description thereof.

Section 5. On any year hereafter when the principal of any series of said bonds shall fall due, or on any year when the interest upon said bonds shall accrue to a larger amount than there shall be funds in the hands of the treasurer of said board to pay from the present tax now authorized to be levied by law, the said board of education shall, in their annual report preceding the falling due of said bonds, or the accruing of said interest (as provided for in section eight, of the act to which this is an amendment), certify to the city council of said city the amount so to fall due and become payable by the maturity of said bonds or the accruing of said interest, in addition to the other expenses and moneys to be raised by tax, and reported to said city council as provided in said section eight of said original act, and the said city council shall thereupon proceed to levy a tax sufficient to meet the amount so to fall due by the maturity of said bonds or the accruing of said interest, in addition to the amount now authorized by said original act and an amendment thereto, to be levied and collected: *Provided*, that the additional tax authorized to be levied and collected by this act shall not exceed in any one year one cent on the dollar of all the taxable property of said city, and the said additional tax shall be collected, paid over, and treated in all respects in the same manner as other taxes levied for school purposes by said city, as provided for in said original act and the said amendment thereto.

Section 6. All the real estate, buildings and property of said board of education in said city, shall be liable for the payment of said bonds and the interest thereon, and the said bonds shall be and become a lien upon said real estate from their date and in the order in which the same are issued, and shall so remain until the full payment thereof.

Section 7. This act shall take effect and be in force from and after its passage.

AN ACT—To amend an act entitled “An act to establish and regulate a system of public schools in the City of Bloomington.” Approved February 22, 1857, and amendments thereto. (In force March 31, 1869.)

Section 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:*

That an act entitled “An act to establish and regulate a system of public schools in the City of Bloomington,” approved February 22, 1857, and amendments thereto, be and the same is hereby amended as follows, to-wit:

That the board of education of (the) City of Bloomington shall at their first meeting, after the election to be holden on the first Monday in April, A. D. 1869, draw lots for their respective terms of office—two to serve one year, two to serve two years, and three to serve three years, and until their respective successors in office are elected and qualified. And hereafter elections shall be held annually on the first Monday of April to fill the vacancies: *Provided*, if any vacancies shall occur in the said board of education between the times of the said annual elections, the remaining members of said board of education shall fill such vacancies by appointment, and the person or persons so appointed shall hold said office until the next annual election for members of said board: *And provided also*, that all school elections in the City of Bloomington shall be exempt from all the registry laws of the state.

Section 2. The second section of this act be and is hereby so amended that the clause “by any two persons so elected,” shall read “by the secretary of the board;” and also the clause, “for the terms of two years,” be amended so as to read, “for the term of one year;” also section ten (10) of the same act to be so amended that the clause “to serve two years, one of whom shall designate city school superintendent,” so as to read, “to serve for the term of one year and shall have power to elect a city school superintendent,” (who shall be a member of the committee of school examiners), at such time and in such manner as shall be fixed by the rules and regulations of the board, and it shall be his duty to visit, etc., as provided in said act.

Section 3. That the said board of education shall have power when, in their judgment, more money is required than is now provided for in said act, and amendments thereto, by taxation or otherwise, to build additional school buildings, to purchase grounds, or to make additional improvements on buildings, grounds or furniture, to call a school election of the qualified voters of said City of Bloomington, by giving twenty days’ notice, to vote whether the board of education shall be authorized to issue and sell additional bonds, or be empowered to levy additional taxes for said purposes; and said notice shall specify the amount of bonds to be issued or tax to be assessed, and the purposes for which they are to be used; and if a majority of the votes cast at such election shall be in favor of issuing such additional bonds or levying such additional taxes, then it shall be lawful for said board of education to execute said bonds in the same manner as provided in said act, or levy said tax, and use the amount of money so voted, on (the) same conditions and in the same manner as authorized by amendment to school law, approved February 22, 1867: *Provided*, that the amount of additional indebtedness, by bonds so voted, shall at no time exceed the sum of one hundred thousand dollars, nor shall taxes so voted exceed in any one year one per cent of all the taxable property of said city, in addition to that which is now authorized by said act, and amendments thereto.

Section 4. All acts or parts of acts in conflict with the provisions of this amendment are hereby repealed.

Section 5. This act shall take effect and be in force from and after its passage.

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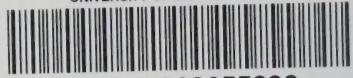
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